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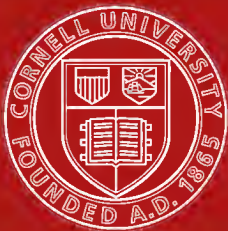
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Philip-
Earl of
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William-Viscount
Saye & Sele

Philip-
Lord Wharton

Sir
Arthur Hazelrig
Bart.

John
Rolle

Sir
Henry Vane Jr.
Knt.

Samuel
Vassell

Miles
Corbet

Cornelius
Holland

Robert-Earl of Warwick
Lord High Admiral

William
Spurston

DOCUMENTARY HISTORY of Rhode Island

BEING THE HISTORY OF
THE TOWNS OF PROVIDENCE
AND WARWICK TO 1649 AND
OF THE COLONY TO 1647

BY
HOWARD M. CHAPIN

LIBRARIAN OF THE
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No. 209

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PREFACE

FOR the convenience of historical students it seemed desirable to bring together the material which is the source and authority for the early history of the state.

This volume includes the contemporary documents and extracts from the letters, diaries, journals, and printed works of the contemporary writers, which throw light upon the history of the town of Providence from its founding in 1636 to the granting of the first town charters on 14 March 1648/9, of the town of Warwick to the same date, and of the colony to the adoption of the "Code of Laws" at the General Assembly held on the 19th, 20th, and 21st of May 1647.

The original manuscripts, whenever they could be located, have been followed, although a reference to some book in which the manuscript has been printed has often been added.

Brackets indicate that the words inclosed within them do not appear in the original but are supplied or added by the editor. The script abbreviation which represents *pr* with a vowel has been given as *pr* and the vowel is thus left, as it was in the original manuscript, to be supplied by the reader. Superior letters have been reduced as in modern abbreviations (as "*rec^d*" to "*recd*") for it is often difficult to distinguish between these two sorts of abbreviations in the old manuscripts. The line above a letter, "*m̄*," which signified its repetition or the omission of a syllable, has been retained as there is no modern equivalent for it.

The script letters "*th*" which often resemble the letter "*y*," the script letters "*u*" and "*v*," which were often carelessly made and resemble each other, and "*i*" and "*j*," which were used interchangeably, have been rendered as the writers

intended that the readers should understand them. Thus the "th" and its "y" form have been transcribed as "th," and "u" and "v," and "i" and "j" have been transcribed as "u" and "i" when used as vowels, and as "v" and "j" when used as consonants.

This mode of rendering these script letters into type was that generally followed by contemporary printers. When material has been taken from printed works, the spelling of these has been followed.

H. M. C.

PROVIDENCE,
10 APRIL, 1916.

ABBREVIATIONS

- BACKUS = A History of New England by Isaac Backus.
 DEANE = A colonial manuscript, based on the writings of Edward Winslow. It was reprinted by Charles Deane in 1850, in N. E. H. & G. R. and in pamphlet form.
 FOX = A New England Fire-Brand Quenched by George Fox.
 GORTON = Simplicities Defense by Samuel Gorton.
 KNOWLES = Memoir of Roger Williams by James D. Knowles.
 M. C. R. = Massachusetts (Colonial) Court Records.
 M. H. S. = Massachusetts Historical Society.
 M. H. S. C. = Massachusetts Historical Society Collections.
 M. H. S. M. = Massachusetts Historical Society Manuscripts in M. H. S.
 MORTON = New England's Memorial by Nathaniel Morton.
 N. E. H. & G. R. = New England Hist. & Geneal. Register.
 N. H. M. = Newport Historical Magazine.
 P. R. = Providence Records in City Hall, Providence.
 P. T. P. = Providence Town Papers. Printed in P. T. R.
 P. T. R. = Early Records of the Town of Providence. (Printed.)
 P. C. R. = Plymouth Colony Records.
 R. I. H. S. = Rhode Island Historical Society.
 R. I. H. S. C. = Rhode Island Historical Society Collections.
 R. I. H. S. M. = Rhode Island Historical Society Manuscripts.
 R. I. H. S. Q. = Rhode Island Historical Society Quarterly Proceedings.
 R. I. C. R. = Rhode Island Colonial Records.
 R. I. H. T. = Rhode Island Historical Tracts.
 WINSLOW = Hypocrisie Unmasked by Edward Winslow.
 WINTHROP = The History of New England by John Winthrop.
 Edition of 1853.
 W. D. = Warwick Deeds.
 W. R. = Warwick Records.

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Documentary History of Rhode Island

I

THE FLIGHT FROM SALEM

[1636]

THE settlement of Providence may be said to hinge, not upon the passage of the act banishing Roger Williams from Massachusetts, for he did not then leave, but rather upon the decision to send Captain Underhill to seize him, for it was clearly to evade this seizure that Roger Williams decided to leave Salem, and not simply on account of the act of banishment.

Nevertheless, even before the act of banishment, Williams, foreseeing trouble with the Massachusetts Bay Colony went among the Indians and negotiated with them concerning a possible settlement in their lands at Narragansett Bay, as the following quotations show:

“Be it knowne unto all men by these psentes, That I Roger Williams of the Towne of providence in the Narragansett Bay in New England, having in the yeare one Thousand Six hundred thirty Foure, And in the yeare one Thousand Six hundred Thirtye Five, had severall Treatyes with Counanicusse, And Miantenome, the Two cheife

Sachims of the Narragansett; And in the End, purchased of them the Landes and Meddowes upon the Two Fresh Rivers called Moshosick And wanasquattuckett, . . .” (Orig. framed in Office of Recorder of Deeds, Providence. Copy printed in Prov. Rec. 5, 306)

“The reason was, because he had drawn above twenty persons to his opinion, and they were intended to erect a plantation about the Narragansett Bay, . . .” (Winthrop 1, 209)

In referring to the Indians in his plea of 17th 9th mo 1677, Roger Williams wrote: “. . . 2d God was pleased to give me a painful Patient spirit to lodge with them, in their filthy smoke holes, (even while I lived at Plymouth and Salem) to gain their tongue. 3d I spared no cost, towards them, and in Gifts to Ousamaquin, yea and to all his, and to Conanicus & his, tokens and presents many years before I came in person to the Nahiganset, and therefore when I came I was Welcome to Osamaquin and that old prince Conanicus, who was most shy of all English, to his last breath.” (Harris Papers 2, 237. R. I. H. S., R. I. H. T. 14, 54)

After the Colony of Massachusetts Bay had passed upon Roger Williams the sentence of banishment in the autumn of 1635, Governor John Winthrop, who was a friend of Williams, wrote privately to him and suggested that he should go and settle at Narragansett Bay.

In his letter to Major Mason, dated Providence 22 June 1670 (ut Vulgo), Williams wrote:

“First when I was unkindly & unchristianly (as I believe) driven from my howse & land & wife & children (in the midst of N. Engl: winter now about 35 years past) at Salem: that ever honrd Gor Mr Wintrop privately wrote to me to steer my Course to the Nahigonset Bay & Indians, for many high & heavenly & publike Ends, encouraging me from the freenes of the place from any English claims

or pattents. I tooke his [most] prudent Motion as an Hint & Voice from God, & (Waving all other Thoughts & Motions) I steerd my Course from Salem (though in Winter snow wch I feele yet) unto these parts, wherein I may say as (Jacob, Peniel, tht is I have seene the face of God." (Orig. M. H. S. M. 161. G. 15., M. H. S. C. 1, I, 276)

In his letter "To the much honoured assembly of Commissioners, and also the Inquest or Jury, sent from the respective Colonies to Providence, 17th 9th mo 1677 (so Called)," Williams wrote:

"I answer, it pleased the most high to direct my steps into this Bay, by the loving private advice of that very honoured Soul Mr. John Winthrop the Grandfather, who, though he was carried with the stream for my banishment, yet he personaly & tenderly loved me to his last breath." (Harris Papers 2, 237. R. I. H. S., R. I. H. T. 14, 52)

It is quite possible, and even probable, that Williams and Winthrop talked over the possibility of Williams making a settlement at Narragansett Bay, before Winthrop wrote the aforesaid letter, and in fact even before the act of banishment had been passed.

Williams' first idea was to go alone amongst the Indians, to do missionary work, and to learn their language thoroughly.

In his letter of 17th 9th 1677, above quoted, he wrote: "My souls desire was to do the natives good, and to that end to have their language, (which I afterwards printed) and therefore desired not to be troubled with English Company, yet . . ." (Harris Papers 2, 237)

"Yet" he changed his plans even before he left Salem, for while still there he, with more than twenty of his followers, was considering the erection of a plantation at Narragansett Bay. These plans may have been under contemplation even before the act of banishment was passed. Winthrop wrote in his Journal under the date of January in the

Governorship of John Haynes, and hence in January 1635/6:

“11 mo. January.] The governour and assistants met at Boston to consider about Mr. Williams, for that they were credibly informed, that, notwithstanding the injunction laid upon him (upon the liberty granted him to stay till the spring) not to go about to draw others to his opinions, he did use to entertain company in his house, and to preach to them, even of such points as he had been censured for; and it was agreed to send him into England by a ship then ready to depart. The reason was, because he had drawn above twenty persons to his opinion, and they were intended to erect a plantation about the Naragansett Bay, from whence the infection would easily spread into these churches, (the people being, many of them, much taken with the apprehension of his godliness). Whereupon a warrant was sent to him to come presently to Boston, to be shipped, etc. He returned answer, (and divers of Salem came with it,) that he could not come without hazard of his life, etc. Whereupon a pinnace was sent with commission to Capt. Underhill, etc., to apprehend him, and carry him aboard the ship, (which then rode at Natascutt;) but, when they came at his house, they found he had been gone three days before; but whither they could not learn.

He had so far prevailed at Salem, as many there (especially of devout women) did embrace his opinions, and separated from the churches, for this cause, that some of their members, going into England, did hear the ministers there, and when they came home the churches here held communion with them.” (Winthrop 1, 209)

But these plans, too, were to be suddenly changed. Instead of leading his followers to Narragansett Bay in the warmth of spring or summer, Williams was obliged to leave Salem, suddenly “though in Winter snow,” in order to escape the expedition of Capt. Underhill, who had been sent by the

Massachusetts Bay Colony to seize him and send him back to England, as Winthrop explains.

As the date 18 appears in Winthrop's Journal on the page following the one containing the above entry, it would seem that the Williams entry was made before 18 January 1635/6. Hence Capt. Underhill's voyage must have been completed before the 18th and so Roger Williams, who left Salem three days before the arrival of Capt. Underhill, must have left Salem on or before 15 January 1635/6. It is probable that the heading "11 mo. January" is a redundant way of writing January, which was the 11 month, although it is barely possible that "11 mo. January" might mean 11 January 1635/6, in which case the date of Williams' departure from Salem would be on or before 8 January 1635/6. The fact that in Winthrop's Journal the year 1634/5 begins with the heading "11 mo. 13", thus placing the day of the month after the "11 mo" would perhaps make the first theory and hence the date "on or before 15 January 1635/6", the more probable.

At any rate sometime early in January 1635/6, Roger Williams fled from Salem and was probably accompanied by four men for he wrote in his letter of 17th 9th mo 1677, quoted above:

"... yet out of Pity, I gave leave to W. Harris, then poor and destitute, to come along in my Company, I consented to John Smith, Miller, at Dorchester (banished also) to go with me, and at John Smith's desire, to a poor young fellow, Francis Wicks, as also to a lad of Richard Watermans These are all I remember . . ." (Harris Papers 2, 237)

In his manuscript history of Rhode Island, Senator Theodore Foster (1752-1828) wrote:

"When Roger Williams first came to Providence in the year 1634, he was accompanied only by a young domestic Snt of his Family named Thomas Angell." (Foster Papers 9, 20. R. I. H. S.)

The 1634 is clearly an error for 1636, caused by the similar error of Callender and vagueness of Hubbard, who heads the chapter dealing with Roger Williams and the settlement of Providence: "Disturbance . . . occasioned by Mr. Roger Williams, in the year 1634", and by the use in the deed of 1661 of the dates 1634 and 1635 which refer to negotiations carried on while Williams was still at Salem and implied in Winthrop's entry under January 1635/6. From the deposition of Theodore Foster, quoted later, it will be seen that he refers in this instance to the first journey to Providence on the Moshassuck and not to the settlement in Seekonk.

In the following deposition of Moses Brown made 19 January 1820, the lad of Richard Waterman is identified as Thomas Angell.

"I Moses Brown of Providence in the County of Providence and State of Rhode Island and Providence Plantations in the United States, in the Eighty second year of my age, under solemn affirmation, declare, that having been brought up and lived within twelve or fifteen rods of the Angell family and having been an Executor to a great-Grandson of the original stock Thomas Angell, his and his son James Angell and Grandson John Angell's Papers falling into my hands and having been called upon to give my own knowledge, with the Historical and Traditional knowledge of the family, I hereby solemnly declare 1st as to the original stock in this Town and County as far as I know or have heard, viz. Thomas Angell whose Will, Inventory &c is in my possession. It is a well known historical fact that Roger Williams came over in the Ship Lyon Capt. Pearce from Bristol in England sailed on the 1st of December 1630 and arrived at Nantaskett on the 5th of February 1630, and it appears by the Genealogy of the Waterman family preserved in the Bible of the Honourable Benoni Waterman Esq. of Warwick, that his Ancestor Richard Waterman came over in

the same ship with Williams, and that when Roger Williams was banished from Salem, and came here in the year 1636, a Lad of Richard Watermans, as Williams stiles him in his plea before the Commissioners of the four Colonies in 1677, now in my possession, in the hand writing of Williams, was one that came with him, this lad I have always understood from the Angell and Waterman families and believed was Thomas Angell, who was admitted to be a distant relation of the Watermans, and as such came over with their Ancestor Richard Waterman, from and in conformity to that tradition, I have heard the two families call each other cousins in my time, having lived nearer to the Watermans than to the Angell's as mentioned above;" (Moses Brown Papers 18, 6. R. I. H. S.)

Moses Brown may have been in error about Richard Waterman's coming in 1630 in the ship with Roger Williams, for Waterman is supposed to have come in 1629, as a letter dated 17 April 1629 and written by the Company of Massachusetts Bay to Governor Endicott reads: "Wee desire you to take notice of one Lawrence Leech, whom wee have found a carefull & painfull man, and wee doubt not but hee will continue his dilligence lett him have deserving respect, the like wee say of Richard Waterman, whose cheife employmt wilbe to gett you good venison." (Suffolk Deeds 1, x) It is possible that Waterman did not come at this time, but remained in England until the following year 1630.

Ezra Stiles in his diary under the date 17 November 1771, wrote: "I visited Mr Jno Angel, who told me he was born in Providence Oct. 4, 1691, Son of James Angel Son of Thos Angel who came from Salem with Roger Williams." (Printed 1, 185)

John Cotton in his "Answer to Master Roger Williams", (1647) page 7, wrote:

"But whereas he saith, He was exposed to the mercies of an howling Wildernesse in frost and snow, &c.

The truth is, the Sentence of his Banishment out of the Patent was pronounced against him in the Court before winter; and respite was given him to tarry certain weeks (six or more) to prepare for his journey.

In the meane time, some of his friends went to the place appointed by himselfe before hand, to make provision of housing, and other necessities for him against his coming; otherwise he might have chosen to have gone either Southward to his acquaintance at Plymouth, or Eastward to Pascatoque, or Aganimticus. And then the wilderness had been as no wilderness, (at least, no howling wilderness) where men sit downe under warme and dry Roofes, sheltred from the annoyance of frost, and snow, and other winter hardships."

It seems hardly probable that others went ahead to prepare "housings" for Roger Williams, for besides being in direct contradiction to Roger Williams' own statements, it is the more unlikely from the fact that Roger Williams himself had a far better knowledge of the Indian tongue than any of his associates, was better known to them, and was probably better acquainted with the country. An acquaintance with the language of the Indians was very important, for Roger Williams maintained that the land must be obtained with their consent.

In regard to this statement of Cotton's, Staples (p. 20) says: "This may be so, but it seems hardly possible that it should be, as he could not have anticipated the summons from the Governor and Assistants, which caused his flight."

It must be remembered, too, that Cotton was writing a controversial tract against Williams and was anxious to discredit him as much as possible. Besides Cotton does not definitely state that housings were prepared for him, but his sentence is so worded as to create that idea.

It might be considered that by the expressions "sorely tost", "steered his course" and "hardships of sea and land

in a banished condition", Roger Williams referred to the fact that he travelled by sea. The true intent of these phrases is more clearly shown by fuller quotations:

" . . . Mr Bradford & others . . . answered, tht . . . I should not be molested & tost up & down againe, while they had Breath in their Bodies: And surely betweene those my friends of the Bay & Plymmouth I was sorely tost for one 14 weekes (in a bitter Winter season) not knowing what Bread or Bed did meane. Beside the yearly losse of no small matter in my trading with English & Natives, being debard from Boston (the chiefe Mart & Port of N. Engl)." (M. H. S. M. 161. G. 15., M. H. S. C. 1, I, 276)

"I tooke his [most] prudent Motion as an Hint & Voice from God, & (Waving all other Thoughts & Motions) I steerd my Course from Salem (though in Winter snow wch I feele yet) unto these parts, wherein I may say as (Jacob, Peniel, tht is I have seene the face of God)." (See above).

"And therfore (lastly) as he casts dishonour upon the name of God, to make him the Author of such cruell mercy, so had his soule been in my soules case, exposed to the miseries, poverties, necessities, wants, debts, hardships of Sea and Land, in a banished condition; he would I presume, reach forth a more mercifull cordiall to the afflicted. . . ." (Mr. Cottons Letter Lately Printed, Examined and Answered. [1644] Chap. 7)

It will be seen that the "sorely tost" might refer to his being first put out of the Massachusetts Bay Colony, then out of Plymouth and the later difficulties both with Ousamaquin and the two colonies.

"To steer his course" is a common metaphor, and was used earlier in the same paragraph without necessarily referring to a sea voyage. The phrase "I steerd my Course from Salem (though in Winter snow)" might be taken to refer to a land voyage as well as to a sea voyage.

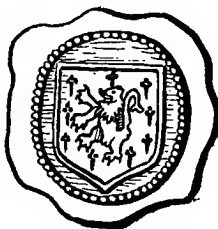
In "Mr. Cottons Letter Lately Printed, Examined and

Answered", Williams wrote of his being ". . . so exposed to the mercy of an howling Wildernesse in Frost and Snow, &c" (preface), and also that he ". . . at last suffered for such admonitions to them, the miserie of a Winters Banishment amongst the Barbarians: . . ." (p. 33).

It must be remembered also, that Roger Williams left Salem in January and that a trip from Salem to Narragansett Bay, around Cape Cod in a small boat would have been very hazardous and that a trip by land would be much more practical and logical, especially too, since if he went by sea, he would have to pass the very expedition that he wished to escape, the pinnace coming from Boston under Captain Underhill.

Judge William R. Staples in 1860 related the following unsubstantiated tradition:

"The tradition in the family of Mr. Smith is, that Roger Williams in his flight from Salem in January 1636, went to Pontipog, now Stoughton, and there spent some time, if not the whole of the winter, at the house of Mr. Smith." (Prov. Journal 3 Oct. 1860.)



Seal of Roger Williams

II

THE SETTLEMENT IN SEEKONK

[1636]

IN his letter to the town of Providence, dated 21 Nov. 1650, Joshua Verin wrote:

“som of you Cannot but Rem[ember] tht we six which Cam first should have the first Convenienc as it was put in practis first by our whom lots £ 2 li by the medowe in wenasketucket River” (P. T. P. 042)

From this it would appear that Joshua Verin was one of the first six to come to Providence. It is scarcely likely that Roger Williams would have forgotten a man with whom he and the town had had so much trouble, when in 1677, he enumerated those who came with him to Providence. If Verin did not come with Roger Williams and his four companions but was the next one to arrive, the statements of both Verin and Williams would be in harmony, or Verin may have been the “lad of Richard Watermans”, but this seems unlikely, as from the writings of Theodore Foster, Moses Brown, and Ezra Stiles, it appears there was a tradition in the Angell family that this lad was Thomas Angell.

From the family record of Benedict Arnold, “Memm. We came to Providence to Dwell the 20th of April, 1636. per me Bennediēt Arnold.” (N. E. H. & G. R. 33, 428), and from the statement of his father William Arnold 27 April 1659, “for as much that I was one that the very first day entred with some others upon the land of providence, and so laid out my money to buy and helpe pay for it, . . .”

(P. T. P. 0103), it would appear that the Arnold family joined the colonists at the settlement in Seekonk 20 April 1636, and moved with the colony to Providence.

The Arnold household at this time probably consisted of William Arnold and his wife and children, one of whom was the above quoted Benedict; William Carpenter, son-in-law of William Arnold, and his family; and Thomas Hopkins and his sister Frances, the children of William Arnold's sister.

There is nothing, except the Arnold memorandum to show whether or not the wives and families of the settlers came to the settlement in Seekonk. That they did not accompany them when they left Salem is shown by Roger Williams' phrase, "driven from my house & land & wife & children". The Arnold data would tend to prove that at least one family came, but on the other hand in the traditional accounts of the removal from Seekonk to Providence no mention is made of the families, and Knowles (p. 101) writes in connection with the settlement in Seekonk and referring to Williams: "His wife and children were still at Salem"; but gives no authority for this statement, doubtless basing it on the phrase quoted above.

It may have been, and it seems very probable, that the families came and remained at the settlement in Seekonk, while Roger Williams and Thomas Angell went to Providence to arrange for the removal to that place, and this would certainly be quite natural, as, from the tone of Gov. Winslow's letter, there was apparently no necessity for an instantaneous exodus.

Referring to the location of the settlement in Seekonk, Knowles (p. 101) writes:

"The spot, in Seekonk, where he reared his habitation is believed, on good authority, to have been at Manton's Neck, near the cove, a short distance above the Central Bridge," and adds in a foot-note: "The venerable Moses Brown

assures me, that he has ascertained this fact, to his own satisfaction."

Referring to this note in Knowles, Leonard Bliss Jr. writing in 1836 adds: "Since commencing this history, I called on Mr. Brown, to know the grounds on which he assured himself of this fact: he told me that he, some years since, found among the manuscripts of his grandfather a paper which stated that Roger Williams lived near a spring on Manton's Neck. He said, that immediately on finding this paper, he rode to Seekonk, to ascertain, if possible, where Roger Williams lived; but that three different springs were pointed out to him, on Manton's Neck, by different individuals, as Roger Williams's Spring, — all within the compass of half a mile. There are now four springs within that space, one having broken out since Mr. Brown visited the spot; and I am informed by the oldest of the inhabitants, that two of the four have broken out within their recollection. Of the two remaining, the one on the land of Mr. Hammond Cole has the highest claim to being the spring in question. It is the largest and best, and the water boils from the ground rapid and clear; whereas the other, which is a short distance to the south east of this, has more the appearance of a mud-puddle. Tradition, also, points the most clearly to this." (Hist. of Rehoboth, p. 17)

Referring to this spring Bliss adds: "There are four different springs in this place, for which different individuals claim this honour; but the one to which it most probably belongs is a few rods from the east bank of the cove, in a lot owned by Hammond Cole, about 15 rods east of his house, and about 20 rods nearly north of the house of Samuel Daggett. This is a clear and beautiful spring, and the water in the warmest weather in summer, is said to be as cool as that of any well in the town of Seekonk. Some of the inhabitants pretend to point out the precise spot where Roger Williams's house stood; but as his house was but a temporary cottage, to

leave it to tradition to designate the spring from which he drank, is as far as we should be willing, here, to yield to her authority." (p. 18) In a foot-note, Bliss adds that the precise spot was "In the north-west corner of Mr. Daggett's house lot."

The following account from a manuscript written by Elder James Brown (1666-1732) is the earliest information we have with regard to the location of Roger Williams' settlement in Seekonk. Elder James Brown wrote:

"The first Setling of the towne of prvidenc was on this wise Aboute the year 1634 Mr. Roger Williams was banished from boston, hee difering from them in sum religus pints was forsed to fley in the winter seson by reason thereof hee was forsed to great hardships so that If the Indians which were the natives of the land had not hope him hee might have sufered deth but they was very kind to him and hope him a long in his Jurne tel hee came to a place senc caled mantons neck where hee had much kines sheued him from the Indians there hee abode the latter part of that winter, . . ."

(Mss. papers concerning Providence. R. I. H. S.)

No contemporary records dealing with the history of this first settlement have been found.

Roger Williams proceeded from Salem to the Sachem Ousamaquin, alias Massasoit, and obtained from him the lands on which he and his associates settled in Seekonk. It seems probable that Ousamaquin was at his home, Sowams; and it is also probable that Williams was accompanied by his companions when he visited the Sachem. All we positively know is from Williams' signed testimony, dated "Providence 13, 10, 1661" (13 December 1661), which is as follows:

"I TESTIFY and declare in the holy presence of God, that when at my first coming into these parts I obtained the lands of Secunk of Osamaquin, the then chief Sachem on that side, the Governor of Plymouth, Mr. Winslow, wrote to me, in

the name of their government, their claim of Secunk to be in their jurisdiction, as also their advice to remove but over the river unto this side, where now by God's merciful providence we are, and then I should be out of their claim, and be as free as themselves, and loving neighbours together." (Backus 1, 72)

And from his letter to Major Mason in 1670, already quoted:

"2 I first pitcht & begun to build & plant at Secunk, (now Rehoboth): But I recd a Letter from my ancient friend Mr Winslow, then Govr of Plymmouth, professing his owne & others Love & respect to me, Yet lovingly advising me (since I was fallen into the Edge of their Bounds, & they were loth to displease the Bay) to remove but to the other side of the Water, & then he said I had the Country free before me, & might be as free as themselves, & We should be lo Neighbors togeather. These Were the joynt understandings of those 2 Eminently wise & Christian Govrs, & others (in their day) togeather with their Councell & Advice as to the Freedome & Vacancie of this place, wch in this respect & many other providences of the most holy & only wise, I called Providence." (M. H. S. M. 161. G. 15., M. H. S. C. 1, I, 276)

From the facts, that the settlement at Moshassuck was for over three years (autumn 1636 to spring 1639) generally called "New Providence", and that Benedict Arnold mentions his arrival at "Providence" when evidently referring to his arrival at the settlement in Seekonk; it might be inferred that the settlement in Seekonk was called "Providence", and the later settlement at Moshassuck was called "New Providence" to distinguish it from the one at Seekonk.

On the other hand the facts, that Roger Williams definitely stated, in the above-quoted letter, and in his Deed of 1661 (Chap. IV), that he named the settlement at Moshassuck "Providence", and that one of Williams' letters evidently

from its context written in the autumn of 1636 is dated "Providence the 24 of the 8th" (Winthrop Papers 2, 107. M. H. S. C. 4, VI, 233); it would seem that the name "Providence" was given to the settlement at Providence and that the settlement in Seekonk probably had no name. Benedict Arnold's application of the name "Providence" to the settlement in Seekonk, in a memorandum written long after that settlement had been transferred to the Moshassuck, and at a time when there was no settlement near the older location, may easily be explained by the fact that Arnold used the term "Providence" broadly, in the sense of the "colony which became Providence", for the colony retained its entity although it moved.

It is more probable that the prefix "New" was used to distinguish the Moshassuck Providence from the town of New-Westminster, which had been founded by Puritans from Bermuda in 1629 upon the island of San Luis de Providencia near Central America in the Caribbean Sea. The settlement, as well as the island, was often called "Providence" by the English and is so referred to by Winthrop in 1637/8 and 1641. In that year, 1641, the colony was captured and destroyed by the Spaniards under Don Francisco Diaz Pimienta. This island, sometimes referred to as "Old Providence" and as "Santa Catalina", has often been confused with the later settlement at New-Providence in the Bahamas.

The fact that Providence on the Moshassuck had ceased to be called "New-Providence" even before the destruction of the colony on Providence Island, would seem to militate against this theory. However the increase in the relative importance of the newer settlement may account for the omission of the prefix "New", even while the older settlement still existed.

III

THE REMOVAL FROM SEEKONK TO PROVIDENCE

[1636]

WE have only traditional accounts of the removal from the settlement in Seekonk to the banks of the Mo-shassuck.

The account as given by Theodore Foster in a deposition is as follows:

"I Theodore Foster of Foster, in the County of Providence, in the State of Rhode Island Esqr; being now in the Seventieth year of my Age, and being duly sworn on solemn oath Do depose and Testify that about Fifty Three years ago (Viz) in the year 1768 I was admitted a Member of Rhode Island College while the Institution remained at Warren. On the 10th day of June A D. 1770 after its Removal to Providence I came to reside in that Town, and graduated at the Annual commencement there in September in that year. I afterwards married and settled in Providence, and *succeeded Brigadeer General James Angell Esq. in the office of Town Clerk of Providence*, in which office I served Twelve Years Viz from June 1775 to June 1787 and in this Period I was elected Eleven Times one of the Representatives of the Town in the General Assembly and served as such from the year 1776 to the year 1782 . . . In this time I became intimately acquainted with the said James Angell and many of his Family Connections, among whom was the Honorable

Stephen Hopkins Esq. whose Sister married the said James Angell . . . and whom I believe to have been better acquainted with the early History of the State than any other Person of his Time. He had been Chancellor of the College from its first Institution and had been Governor of the State at different Times in the whole Eight Years — The History of which from its first settlement he contemplated writing for when he was prevented by other Avocations, as he told me, until the Infirmities of Age induced him to relinquish his Undertaking it. But as he had heard that I contemplated writing it History of the State he kindly offered to assist me by furnishing me with written Materials and verbal Information . . . It was therefore agreed that I should, one Afternoon in a Week go to his shop for the Purpose. — I accordingly did so for some time . . . In one of these Interviews he told me that *Thomas Angell*, one of the First Settlers and Purchasers of Providence when a Young lad belonging to and living in the Family of Roger Williams, the Founder and afterwards the President of the State for some years came with him the said Williams in a Canoe down Seaconk River in Mr. Williams first visit to the Indians settled at Mashasuck (now Providence) in the former part of the same year in which Mr. Williams first came to settle with his Family there — No other Person except the said Thomas Angell, being then in Company with him That when they came opposite the cove now called *What Cheer Cove* they were hailed from the Shore by one of the Indians who understood a little English by the friendly salutation of *What Cheer*, from which Circumstance the Cove has ever since been called *What Cheer Cove* so named in the early Records of the Town — That Mr. Williams made signs to the Indians that he would meet them on the western shore of the Neck of Land, on which they (the Indians) then were — Going himself, in the canoe, by Water, round Fox Point, which he accordingly did and met the Indians at the famous Rock and

Spring mentioned by Governor Hutchinson in his History of Massachusetts — a little Southwesterly from the Episcopal Church.

I have seen an unauthenticated Copy of a Deposition of the said Roger Williams in which he stated that the Neck of Land in which the Eastern Part of the Town of Providence between the Rivers Moshasuck and Seekonk is built, was given to said Roger Williams by the Indian Sachem Conanawicus for Services done for him & his Indians by Mr. Williams before he came to reside there . . .” (Foster Papers 6, 19. R. I. H. S.)

This deposition of Senator Foster is dated “Foster R. I. June 6th 1821” and is signed “Theodore Foster.”

It would appear that Foster (1752-1828) obtained his information from Hopkins (1707-1785), whose sister married Gen. James Angell (1723-1785), and that Hopkins’ information was apparently based on the traditions in the Angell family.

Moses Brown, writing anonymously in the Rhode-Island Register for 1823 and in the Providence Directory for 1828, p. V, relates the story:

“They came here from Seekonk, where they had wintered and crossed over East River in the spring or summer of 1636 (and not in 1634 as has been stated) certainly before the month of July, they being then here. It being peaceable times, as they drew near the cove North of India Point, they were saluted by the natives by the social term Watcheer, which is not only transmitted to us traditionally, but in memory of the occurrence, the land there was named and conveyed by the five disposers of land in the town, by Watcheer in their deed, to Benedict Arnold, the first governor of the State under the Charter of King Charles, as appears by a parchment deed now in my possession, dated “the 14th day of the second month, in the 5th year of our situation or plantation at Moshasick or Providence, and in the

17th year of King Charles, 1641." The Indian name of the land is therein called Ashocomack."

"What cheere" as a place-name appears in a deed of 1641, printed on page 110 of volume one of the Early Records of the Town of Providence.

"What cheer" was a contemporary English greeting as the following lines from Shakespeare show:

"Here, master: what cheer?" (Tempest I. 1.)

"Come, my Hippolyta! What cheer, my love?" (Midsummer Night's Dream I. 1.)

"What cheer? how is't with you, best brother?" (Winter's Tale I. 2.)

"Ah, my good friend! what cheer?" (Timon of Athens III. 6.)

"What cheer, madam?" (Cymbeline III. 4.)

In his "Key into the Language of America," Roger Williams wrote (p. 2): "What cheare Nétop? is the generall salutation of all English toward them, Nétop is friend. Netompaûog Friends. They are exceedingly delighted with Salutations in their own Language." Williams then gives a vocabulary containing Indian salutary phrases.

The date of the removal of the colonists from Seekonk to Providence has not been accurately ascertained. It must have been after the election of Winslow, which was on 1 March 1635/6, for Williams states that Winslow was Governor (Chap. II). Also if Williams' expression of being "sorely tost for 14 weekes" meant until he reached Seekonk, it would place his arrival there as on or before the 23rd of April, for we have shown (Chap. I) that he left Salem on or before the 15th of January; but if he meant until he reached Providence on the Moshassuck, it would make his arrival there on or before the 23rd of April, which latter seems very improbable, for in that case it would have been scarcely possible for him to loose his harvest as it is extremely unlikely that he would have planted so early. Hence it would

seem that the "14 weekes" referred to the time up to his arrival at the Seekonk settlement.

This interpretation would be in harmony with the Winslow incident and also with the Arnold memorandum (Chap. II), provided we consider that by Providence, Benedict Arnold meant the settlement in Seekonk. The settlement in Seekonk may have been called Providence, although from Williams' letter of 22 June 1670 it would appear as though he first applied that name to the settlement on the Moshassuck; or Arnold more probably may have used Providence broadly in the sense of the colony which later developed into Providence.

In a deed dated 7, 9, 1657 Roger Williams wrote:

" . . . and yett Reserved to my selfe the two Indian Fields Calld whotchear & Saxifrax hill as having peculiarly Satisfied the owners of those Fields for them beside my Generall purchase of the whole from the Sachims and also planted both those fields at my first coming as my owne peculiar: with mine owne hand . . ." (P. R. 3, 44. P. T. R. 3, 111)

It would seem from this that Williams planted these Indian fields after his removal from Seekonk, and if this inference is correct, it would make the date of the removal previous to the latest date on which he would think it would be possible to plant Indian corn so that it would ripen, and this would presumably be before the end of June.

On the other hand Williams may have planted these fields after the receipt of Winslow's letter and after his negotiations with the Narragansett Sachems and yet before the actual removal of the colony from Seekonk to Providence. It is suggestive that Williams wrote in regard to the Seekonk harvest that he lost "a harvest", not "the harvest" or "my harvest", and so does not contradict his statement that he planted the same year at "whotchear" and "Saxifrax hill." Then, too, this later planting may not have ripened into a good harvest.

Arnold, Knowles, and several other writers place the removal to Providence on the Moshassuck in June 1636. That it was after 1 March 1635/6 appears to be certain, and that it was before the last of June seems most probable. If we accept the Arnold memorandum as referring to the settlement in Seekonk, the removal would be after April 20th and before the end of June, or in other words probably in May or June.

The theories based upon the June 16 record (Chap. VI) and the "six in the canoe" tradition (see below) will be seen to have virtually no historical value.

The earliest tradition discovered, the Foster-Hopkins-Angell tradition gives the number in the canoe as 2, Moses Brown, anonymously, in the Rhode Island Register for 1823 and Providence Directory for 1828 gives the number as 6, as Staples vaguely does in 1845, while Knowles in 1834, and Arnold in his History of Rhode Island in 1859 give the number as 5.

An enactment of the City of Providence in 1845 makes part of the design of the city seal "a canoe containing Roger Williams and his companions" (Ordinances 1845, p. 75), and as a result of this act, the seal as printed on the title page of the Ordinances of 1845 has a canoe containing 4 men. The number of men vary from 6 in the printed illustration of the city seal in the City Manual of 1861, to 3 in the present official city seal.

It would seem probable that Roger Williams, purchased from his friends, the Sachems Canonicus and Miantonomi, the lands at Moshassuck either on or shortly after his visit there in company with Thomas Angell and that then, probably in June 1636 or thereabouts, the colonists in Seekonk moved to Providence on the Moshassuck.

The colony, at this time, from the meagre records that we have, would seem to have consisted of Roger Williams, William Harris, John Smith the Miller, Francis Wickes,

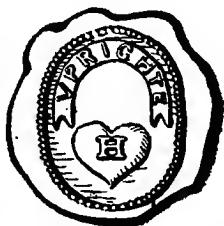


SLATE ROCK

WHAT CHEER COVE, SEEKONK RIVER

From a watercolor painted by Edward Lewis Peckham in 1832, which is now in the Rhode Island Historical Society. The rock is now buried beneath made-land and a monument stands above it, northwest from the corner of Williams and Gano Streets.

Thomas Angell, Joshua Verin, and William Arnold, and their families. If their families were not already with them at Seekonk they doubtless soon joined the settlers at Providence. In this undated letter of August or September 1636 (Chap. V), Williams mentions "those few families here" and also speaks of "the masters of families."



Seal of William Harris

IV

THE PURCHASE OF THE LAND

[1636]

IN regard to the purchase of the land Roger Williams wrote in his plea of 17th 9th mo 1677, already quoted:

“3d I spared no cost, towards them, and in Gifts to Ousamaquin, yea and to all his, and to Conanicus & his, tokens and presents many years before I came in person to the Nahiganset, and therefore when I came I was Welcome to Osamaquin and that old prince Conanicus, who was most shy of all English, to his last breath. 4th I was known to all the Wampanogs & the Maginsiks to be public speaker & at Plymouth & Salem, and therefore with them held as a Sachem. 5th I could debate with them in a great measure in their own Language. 6th I had the favour & countenance of that noble soul Mr Winthrop whom all Indians respected. 7th I mortgaged my house and Land at Salem (with some hundredths) for supplies to go through, and therefore was it a simple business for me to put in one with my self, all that came with me and afterwards, were not engaged, but came and went at pleasure; but I was forced to go through and stay by it.

2d As to my selling to them Pawtuxet & Providence: It is not true that I was such a fool to sell either of them, especially as W H saith “like an Halter in a Market who gives most,” The Truth in the Holy Presence of the Lord is this. — Wm H Pretending Religion, wearied me with desires, that I should admit him and others into fellowship of my

purchase. I yielded and agreed that the place should be for such as were destitute (especially for Conscience Sake) and that each person so admitted should pay 30/- country pay, towards a town stock, and myself have £30 towards my charges, which I have had £28. in broken parcels in 5 years. Pawtuxet I parted with at a small addition to Providence (for then that monstrous bound or business of upstream without Limits, was not thought of) Wm Harris and the first 12 of Providence were restless for Pawtuxet and I parted with it upon the same terms, viz for the supply of the destitute, and I had a cow [see Chap. IX] of them (then dear) when these 12 men (out of Pretence of Conscience & my desire of Peace) had gotten the power out of my hands, yet they still yielded to my grand desire of propagating a public Interest, and confessed them selves but as feoffees, for all the many scores, who were recd afterwards paid the 30/-, not to the purchasors (so called) as proprietors, but as feoffees for a Town stock — and 2d Wm Field the builder of this house, and others openly told the new comers that they must not think that they bought and sold the right to all the lands and meadows in common and 100 acres presently, and power of voting and all for 30/— but that it went to a town and public use. As to the simple Charge that I bought cheap and sold dear, Wm Harris Cannot be ignorant that Councanicus (whom he calls in the Declaration the conqueror of all these parts) he was not I say to be stirred with money to sell his Lands to let in foreigners. Tis' true he recd presents and gratuities many of me, but it was not Thousand not Ten Thousands of money could have bought of him an English Entrance into the Bay. Thousands could not have bought of him Providence or Pawtuxet or Aquideneck or any other land I had of him. I gave him and his youngest Brothers son Miantunoma gifts of two Sorts. 1st former presents from Plymouth and Salem 2d I was here their councellor and secratary in all their wars with Pequots, Munhiggins, Long Hardres, Wam-

panougs. They had my son, my shallop and Pinnace and hired servant &c at command on all occasions. Transporting 50 at a Time & Lodging 50 at a time at my house, I never denied them ought, that Lawfully they desired of me. Counanicus laid me out Grounds for a trading house at Nahiganset with his own hands, but he never traded with me, but had freely what he desired, goods, money, so that tis simple to imagine, that many hundreds excused me, to the last of that mans breath, who dying sent for me and desired to be buried in my cloth of free gift and so he was." (Harris Papers 2, 237. R. I. H. S., R. I. H. T. 14, 54)

And in his undated letter of August or September 1636 he wrote:

"As allso since the place I haue purchased, 2ly, at mine own charge & engagements, the inhabitants paying (by consent) 30s a piece as they come, vntill my charge be out for their particular lots: and 3rdly, that I never made any other covenant with any person, but that if I got a place he should plant there with me: my quaere is this,—

Whither I may not lawfully desire this of my neighbours, that as I freely subiect my selfe to common consent, & shall not bring in any person into the towne without their consent: so allso that against my consent no person be violently brought in & receaued.

I desire not to sleepe in securitie & dreame of a nest which no hand can reach. I cannot but expect changes, & the change of the last enemie death, yet dare I not despise a libertie, which the Lord seemeth to offer me, if for mine owne or others peace: & therefore haue I bene thus bold to present my thoughts vnto you." (M. H. S. C. 4, VI, 188)

In 1677 Harris "chargeth Roger Williams, for taking the land of Providence in his own name, which should have been taken in the name of those that came up with him" (Plea 17, 9, 1677, quoted above.), but this was always denied by Williams, and his statement in the above-quoted letter,

written long before the question had been raised by Harris, has great weight.

In 1659 when Harris had begun on his "monstrous" land conspiracy, he phrased the "confirmatory deeds" in accordance with his own ideas, styling "Roger Williams, Agente for the men of Providence: & the men of Pawtuxcette" (Orig. in office of Recorder of Deeds, Providence. Copy P. R. 3B, 451., P. T. R. 5, 304), and likewise made the deed "confirm" grants not in the original deed, although these "confirmatory deeds" were merely to "confirm" the older deed.

In his deed of 1661, Williams wrote:

"Notwithstanding, I had the frequent promise of Miantenomy (my Kind freind) that It should not be Land that I should want about those Boundes mentioned, provided, that I satisfied the Indians there inhabeting; I haveing made Covenantes of a peacable Neighbour-hood with all the Sachims. And Natives Round about us; And having in A Sence of Gods mercifull providence unto me in my destresse, called the place providence; I desired it might be for A shelter for persons distressed for Conscience; I then considering the condition of Divers of my distressed Countreymen; I comunicated my said purchase unto my Loving Freindes John Throckmorton, William Arnold, William Harris, Stuckley Westcott, John Greene Senior, Thomas Olney Senior, Richard Waterman And others, who then desired to take Shelter here with me. And in Succession unto so many others as wee should Receive into the fellowship, And societye of injoyeing, And desposing of the said purchase: And besides the First that were admitted, our Towne Recordes declare, that afterwardees wee Received Chad Browne, William Feild, Thomas Harris Senior, William Wickenden, Robert Williams, Grigorey Dexter, and others as or Towne Booke declares: And whereas by Godes mercifull Assistance I was the procurer of the purchase (not by

monies nor payment, the Natives being so shy, And jeloues that monies could not doe it, but by that Language, Acquaintance, And favour with the Natives, And other Advantages which it pleased God to give me, And also bore the charges, And venture of all the Gratuetyes which I gave to the great Sachims, And other Sachims And Natives Round about us: and Lay ingaged for A Loving And pecable neighbourhood with them all, to my great charge And Travell; It was therefore Thought Fitt by Some Loving Freindes, that I should Receive some Loving consideration And gratuetye: And it was agreed betweene us, That Every person that should be Admitted into the Felloshipp of injoying Land And desposing of the purchase, should pay Thirtye Shillinges unto a publique stock; And First about Thirtye pounds should be paid unto my selfe, by Thirtye Shillings A person, as They were admitted: This sum I Received, And in Love to my Freindes, And with Respect to A Towne, And place of Succor for the destressed as aforesaid, I doe Acknowledg the Said Sum, And payment, as full Sattisfaction;" (Orig. framed in office of Rec. of Deeds, Providence. Copy printed P. T. R. 5, 307)

The original deed from these Sachems to Roger Williams is not now extant, if it was a written deed, and it is probable that it was only an oral one. It seems probable also that upon receiving this land from the Indians, Roger Williams allotted it by an oral agreement among his associates, and that the initial deed, the first written deed transferring it to his associates, was not made until after May 1638, for it does not contain the name of Joshua Verin, and so must have been made after his disfranchisement, and hence subsequent to 21 May 1638, the date on which he was deprived of his right to vote. From the fact that in 1650 Joshua Verin laid claim to land in Providence which he claimed was legally his by purchase; but did not mention that it had ever been deeded to him, in fact instead wrote, "som of you Cannot but

Rem[ember] . . .” (see below); and from the fact that the town admitted that it was a case for decision by the court; and that Verin’s right to that land was recognized (Prov. Deeds 1, 59. P. T. R. 14, 78); it would seem that the deed to Verin and the other contemporary deeds had been oral, but had been considered just as binding as written deeds.

Verin’s letter is as follows:

“Gentlemen & Countriemen of the towen of prvidenc this is to Certifie you tht I looke upon my purchas of the towen of prvid[enc] to be my lawfull Rite & [in] my travells I have enquired & doe find it is Recoverable acordinge to lawe for my Com[ing] away Cold not disinhirite me som of you Cannot but Rem[ember] tht we six which Cam first should have the first Convenienc as it was put in practis first by our whom lots & 2li by the medowe in wenasketucket River & then thos tht wer admited [by] us into the purchas to have the next which wer about 7 but it is Conterarie to lawe Reson & equitie for to dispose of my pt without my Consent therfor deall not wors with me then we delt with the Indians for we mad Concienc of purchasinge of it of them & hasarded any law & therfor we nead not nor any on of us ought to be deprived of ther purchase soe hoping you will tacke it into your serous Considration & to give me Resonable satisfacon I Rest yours in the way of Rite & equitie Joshua Veren

from salem this 21 novembr 1650

Apri[1]: 27th. 1651: Robert Williams Moderatr

It is ordered that Mr. Dexter writes unto Joshua Veren in Answer to his Letter That if he comes unto or Court and proves his right, the Towne will doe him justice”, and:

“A Copy of the Letter sent to Josuah Verin.

Sr. The Towne of Providence having receiv[ed] read and considered yrs dated the 21th of Novemb[er] 1650. have Ordered me thus to signifie unto yu, That if yu shall come unto or Court, & Prove yr right, they will doe yr Justice
pr me Gre. Dexter Towne Clerk” (P. T. P. 042)

Verin's ownership of the land allotted to him before his disfranchisement was recognized by the town, for he sold one share of salt meadow and his house lot to Richard Scott, and later, 28 January 1674/5, he had laid out to his attorney, John Whipple Junr., "fower score & forteene acres of land being part of his purchase Right in the first devision, (The other part being his house lott, & one share of salt meadow, which he sold unto Mr Richard Scott of said Towne)." (Prov. Deeds 1, 59 P. T. R. 14, 78)

"Att A Towne meeting September the 28: 1663

Thomas Olney Senr: Moderatr:

For as much as Joshua Vering of Barbados; formerly of this Towne; hath sent unto William Harris to demaund o[f] this Towne, in his behalfe; a Right of Land: The said Will[iam] Harris having this day demanded the same of the Tow[ne:] The answer of the Towne unto the said William Harr[is] is, That they doe owne that the said Joshua Vering h[as] a Right: And what he can make appeare to be yet in his handes, not being passed away by sale unto any other he may have it laid out unto him; paing all dues which belong there unto:" (P. R. 3, 6. P. T. R. 3, 40 Compare P. T. P. 0329.) This referred to the land granted to Verin before his disfranchisement.

Verin's right to the land divided after his disfranchisement was denied by the town. (P. T. P. 0329, P. T. R. 4, 34; 4, 43.)

In a letter to the Town of Providence written apparently in August 1654, Roger Williams wrote, referring to the purchase of Providence:

"I have been charged with folly for that freedom and liberty which I have always stood for; I say liberty and equality both in land and government. I have been blamed for parting with Mooshawsick, and afterward Pawtuxet (which were mine own, as truly as any man's coat upon his back) without reserving to myself a foot of land, or an inch

of voice in any matter, more than to my servants and strangers." (Backus 1,290)

Roger Williams' son Daniel in a letter to the Town dated 24 August 1710 wrote:

"& it is evident that this Town ship was my Fathers and it is held in his name against all unjust claimers &c Can you find such another now Alive or in this age he gave away his lands and other Estate to them that he thoght was most in want untill he gave away all, so that hee had nothing to help himselfe, so that he being not in A way to get for his suply and being anchant, it must needs pinch hard somewhere . . ." (P. T. P. 0695. Knowles 111.) and then added in a postscript.

"if a Covetios man had that oportunity as he had, most of this Town would have bene his tenents I believe . . ."

As soon as the Indians deeded the land to Roger Williams, he distributed it among his associates, and they immediately built houses and installed themselves and their families.

As Williams had gone to considerable expense, they agreed to pay a tax of 30 shillings each towards a town fund, and that a like sum should be collected from each newcomer, and that from time to time Williams should be reimbursed, until he had received 30 pounds to pay him for his expenses. £28 of the £30 had been taken out by him in land before 17th 9th mo 1677.

The above information is derived from Williams' undated letter of 1636, and his plea of 17, 9, 1677, already quoted. From the mention of this arrangement in the undated letter of August or September 1636, it appears that it was made previously, and so in the summer of 1636. It was probably made soon after the settlement as might be expected.

THE ESTABLISHMENT OF RELIGIOUS LIBERTY
AND THE FORMATION OF THE TOWN GOVERNMENT

[1636]

IT appears that a town government was soon established, and this government is described by Williams in the aforesaid undated letter of 1636 as follows:

"The condicion of my selfe & those few families here planting with me, you know full well: we haue no Patent: nor doth the face of Magistracie suite with our present condicion. Hietherto, the masters of ffamilies haue ordinarily mett once a fortnight & consulted about our common peace, watch, & planting; & mutuall consent hath finished all matters with speede & peace.

Now of late some young men, single persons (of whome we had much neede) being admitted to freedome of inhabitation, & promising to [be] subiect to the orders made by the consent of the howseholders, are discontented with their estate, & seeke the freedome of vote allso, & æqualitie, &c.", and;

"Hietherto we chose one, (named the officer,) to call the meeting at the appointed time: now it is desird by some of vs that the howseholders by course performe that worcke, as allso gather votes & see the watch goe on, &c." (M. H. S. C. 4, VI, 186)

In distributing the land to his associates and admitting them "into fellowship of my purchase", as Williams quaintly expressed it, he and they "agreed that the place should be for such as were destitute (especially for Conscience Sake)" (plea 17-9-1677), thus establishing Religious Liberty. Al-

though we do not know the exact wording of this agreement, it was clearly the "order, that no man should be molested for his conscience", referred to by Winthrop, and the "covenant" mentioned in the Verin resolution of 21 May 1638. Its purpose was to prevent one from being persecuted for religious beliefs and practices, which did not actually interfere with the civil welfare or with another's religious practices. That it was intended to and did apply to women as well as to men is shown by the Verin case and Winthrop's comment upon it. (Chap. IX)

In "The Combination" of 1640 we find the clause "we agree As formerly hath benn the libertyes of the Towne: so Still to hold forth Libertye of Conscience —:" (P. T. P. 02)

In regard to Liberty of Conscience, Williams wrote in a letter to the town ascribed to the year 1654:

"But, gentlemen, blessed be God who faileth not and blessed be his name for his wonderful Providences by which alone this town and colony, and that grand cause of Truth and Freedom of Conscience, hath been upheld to this day." (Backus I, 291)

In the deed of 20 December 1661 Williams wrote:

"And having in A Sence of Gods mercifull providence unto me in my destresse, called the place providence; I desired it might be for A shelter for persons distressed for Conscience; I then considering the condition of Divers of my distressed Countreymen; I comunicated my said purchase unto my Loving Freindes . . ." (Chap. IV)

In regard to Williams and Liberty of Conscience, Richard Scott wrote: "Though he professed Liberty of Conscience, and was so zealous for it at the first Coming home of the Charter, that nothing in Government must be Acted, till that was granted; yet he could be the Forwardest in their Government to prosecute against those, that could not Join with him in it: as witness his Presenting of it to the Court at Newport.

And when this would not take Effect, afterwards when the Commissioners were Two of them at Providence, being in the House of Thomas Olney, Senior of the same Town; Roger Williams propounded this Question to them:

We have a People here amongst us, which will not Act in our Government with us; What Course shall we take with them?

Then George Cartwright, one of the Commissioners asked him, What manner of Persons they were? Do they live quietly and peaceably amongst you? This they could not deny; Then he made them this answer:

If they can Govern themselves, they have no need of your Government.

At which they were silent.

This was told again by a Woman of the same House (where the Speech was spoken) to another Woman, whom the Complaint with the rest was made against, who related it to me; but they are both Dead, and cannot bear Witness with me, to what was spoken there". (Fox 2, 248)

It will be seen that Scott was unable to distinguish between civil and religious affairs, and could not see any difference between the enforcement of civil laws for the common welfare of the inhabitants (i. e. the maintenance of government), and the enforcement of the observance of religious practices. In this confusion of ideas he was among the majority of the then inhabitants of New England, who found it very difficult to distinguish between Liberty of Conscience and Anarchy in Government. But even assuming Scott's point of view, he does not show wherein Williams coerced anyone in either civil or religious affairs.

The following extract from Williams' writings will give one a clear insight into his views upon the relation of civil government to religious affairs and will enable one to perceive the ideal of the government that he established at Providence.

“That ever I should speak or write a Tittle that tends to such an infinite Liberty of Conscience, is a Mistake; and which I have ever disclaimed and abhorred. To prevent such Mistakes, I at present shall only propose this Case.— There goes many a Ship to Sea, with many a Hundred Souls in one Ship, whose Weal and Woe is common; and is a true Picture of a Common-Wealth, or an human Combination, or Society. It hath fallen out sometimes, that both *Papists* and *Protestants*, *Jews* and *Turks*, may be imbarqued into one Ship. Upon which Supposal, I do affirm, that all the Liberty of Conscience that ever I pleaded for, turns upon these two Hinges, that none of the *Papists*, *Protestants*, *Jews*, or *Turks*, be forced to come to the Ships Prayers or Worship; nor, secondly, compelled from their own particular Prayers or Worship, if they practice any. I further add, that I never denied, that notwithstanding this Liberty, the Commander of this Ship ought to command the Ship’s Course; yea, and also command that Justice, Peace, and Sobriety, be kept and practiced, both among the Seamen and all the Passengers. If any Seamen refuse to perform their Service, or Passengers to pay their Freight; — if any refuse to help in Person or Purse, towards the Common Charges, or Defence; — if any refuse to obey the common Laws and Orders of the Ship, concerning their common Peace and Preservation; — if any shall mutiny and rise up against their Commanders, and Officers; — if any shall preach or write, that there ought to be no Commanders, nor Officers, because all are equal in CHRIST, therefore no Masters, nor Officers, no Laws, nor Orders, no Corrections nor Punishments — I say, I never denied, but in such Cases, whatever is pretended, the Commander or Commanders may judge, resist, compel, and punish such Transgressors, according to their Deserts and Merits. This, if seriously and honestly mined, may, if it so please the Father of lights, let in some Light to such as willingly shut not their Eyes. — — — I

remain, studious of our common Peace and Liberty, —” (Orig. lost., Printed in Prov. Gazette, 16 Feb. 1765.)

That Roger Williams, when he purchased land from the Indians outside the jurisdiction of the English King, and moved into that land, intended to remain a subject of the King, if the King were willing, is shown by the following quotation from William Harris, written 17 November 1677:

“2ly That it was aboute 40 years since, for we have posed it ever since 1637 or 38 or rather before, before ther wear any other English in these partes; here we wear, Rhod Island was purchased after we had bin settled & planted & yet ther grant bears date 1637, but Mr Williams sd the Kings power cast him out, & sd he did not know whether the King would owne him, soe he tooke a date of his owne, & we seeing his dispoztion we wear unwilling to strive, & his date was from his plantation, not from the year of our lord, nor King then, somewhat like tht of the long since piping ratt Catcher, followed by the Children the people ther thence tooke theyr date, oures not being so memorable forgot” (Harris Papers 2, 69. R. I. H. S. C. 10, 203), and the following phrase in Williams’ draft of a covenant in his own letter in 1636; “vntill we heare further of the Kings Royall pleasure concerning our selues” (M. H. S. C. 4, VI, 187)

Thus towards the end of the summer of 1636 there was at Providence a civic community; in which the enjoyment of any religious belief or practice not detrimental to the public good and not infringing upon another’s religious practice, is guaranteed by a civil agreement, probably oral; in which land has been obtained and distributed among the families, also probably by oral deeds; in which one man chosen by the others, and designated “the officer”, called ordinarily once a fortnight, meetings of the “masters of families” or “howseholders”, as they were sometimes styled. This governing body managed the public affairs, “the common peace,

watch & planting", and mutual consent "finished all matters with speede & peace", to again quote Williams.

None of the official records of this primitive town have come down to us, and it is possible that no written records were kept at this period.

This little town was attractive and many new settlers came. Among these were some young unmarried men, who not being heads of families, were not permitted to vote at the meetings. These newcomers agreed to obey the orders passed by the governing body, but were not long content to be without a vote, and so, soon asked to be given equal suffrage with the heads of families. (see below)

It was at this juncture, in August or September 1636, that Roger Williams wrote to his friend Governor Winthrop, the above-quoted letter, explaining the existing conditions and difficulties and asking his advice.

Williams drew up drafts to two documents, one an agreement for the present voters, and the other for those to be admitted in the future. He wrote:

"Beside, our dangers (in the midst of these dens of lyons) now especially, call vpon vs to be compact in a civill way & power.

I haue therefore had thoughts of propounding to my neighbours a double subscription, concerning which I shall humbly craue your helpe.

The first concerning our selues, the masters of families: thus,

We whose names are here vnder written, late inhabitants of the Massachusetts, (vpon occasion of some difference of conscience,) being permitted to depart from the limits of that Pattent, vnder the which we came over into these parts, & being cast by the Providence of the God of Heaven, remote from others of our countriemen amongst the barbarous in this towne of New Providence, doe with free & ioynt con-

sent promise each vnto other, that, for our common peace & wellfare (vntill we heare further of the Kings royall pleasure concerning our selues) we will from time to time subiect our selues in actiue or passiue obedience to such orders & agreements, as shall be made by the greater number of the present howseholders, & such as shall be hereafter admitted by their consent into the same privilege & covenant in our ordinarie meeting. In witnes whereof we herevnto subscribe, &c.

Concerning those few young men, & any who shall hereafter (by your favorable connivance) desire to plant with vs, this, —

We whose names are here vnder written, being desirous to inhabite in this Towne of New Providence, doe promise to subiect our selues in actiue or passiue obedience to such orders & agreements as shall be made from time to time, by the greater number of the present howseholders of this Towne, & such whome they shall admit into the same fellowship & privilege. In witnes whereof, &c.” (M. H. S. C. 4, VI, 186)

It would seem probable that the reason that Williams wished Winthrop to reply “with the soonest convenience, if it may be, by this messenger.” (M. H. S. C. 4, VI, 186), as he wrote in this letter, was because these matters were to be discussed at the next meeting which would according to custom take place within a fortnight.

The meagreness of the early records prevents us from knowing whether these matters were taken up at this time, and if so, whether these drafts were adopted, modified, or discarded. The second one in a modified form was adopted at a later period and will be discussed in its proper place. It is quite likely that the fear of serious trouble with the Pequots may have overshadowed in importance the questions of civil government. In as much as the second one with modifications was later adopted, it would seem probable

that the first one, perhaps slightly altered, was also adopted, for the second one calls for the previous adoption of the first one.

In 1636 Williams wrote:

“As allso since the place I haue purchased, 2ly at mine owne charge & engagements, the inhabitants paying (by consent) 30s a piece as they come, vntill my charge be out for their particular lots: & 3rdly, that I never made any other covenant with any person, but that if I got a place he should plant there with me: my quaere is this,—

Whether I may not lawfully desire this of my neighbours, that as I freely subiect my selfe to common consent, & shall not bring in any person into the towne without their consent: so allso that against my consent no person be violently brought in & receaued.

I desire not to sleepe in securitie & dreame of a nest which no hand can reach. I cannot but expect changes, & the change of the last enemie death, yet dare I not despite a libertie, which the Lord seemeth to offer me, if for mine owne or others peace: & therefore haue I bene thus bold to present my thoughts vnto you.” (M. H. S. C. 4, VI, 188)

There is hardly an intelligent human being, who in a similar position, would not have had the same thoughts. This question, it must be remembered, was broached in a private letter to John Winthrop, and it is probable that Williams himself rejected it. There is no evidence to show that he ever publicly urged it either in or out of town meeting. It was not in harmony with his ideals, and it should be noted that he did not insert it in the proposed drafts included in the same letter.

During their first summer at Providence the colonists were kept in considerable excitement, first by the murder of John Oldham on Block Island by Indians, and then by the protracted negotiations which were carried on between the Massachusetts Bay authorities and the Narragansett Sa-

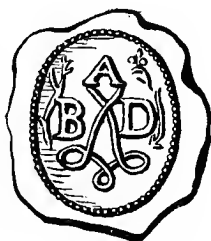
chems, with Williams as an intermediary and Providence as the centre of negotiations.

During the remainder of 1636 and the early part of 1637 Roger Williams spent much time negotiating with the Indian Sachems in an endeavor, which he successfully accomplished, to keep the Narragansetts from joining the Pequots, against the English. Sometimes he visited the Sachems and, once at least, in the spring of 1637 "Miantunnomu kept his barbarous court" (M. H. S. C. 3, I, 159) at Mr. Williams' house.

As early as the year 1636 the name Rhode Island was applied to Aquidneck, as is shown by the letter of Roger Williams to Deputy Governor John Winthrop, which from its context was evidently written in the late summer or early autumn of 1636, and dated at "New Providence".

It reads:

"4. They also conceive it easy for the English, that the provisions and munition first arrive at Aquednetick, called by us Rode-Island, at the Nanhiggontick's mouth . . ."
(M. H. S. C. 3, I, 160)



Seal of Benedict and Damaris Arnold

VI

THE AFFAIRS OF 1637 — THE PURCHASE OF PRUDENCE, AQUIDNECK, PATIENCE AND HOPE

THE town records contain no entries for the year 1636. The petition on page 1 of the town book will be taken up later in its proper chronological place; and the items on page 2, which by some have been considered to refer to 1636, because they precede page 3, which is headed, "Agrements & orders the second year of the Plantation", will be seen to refer to 1637 or later, because under date 16th of 4th (June 16) or at any rate before 13th of 6 (August 13) Thomas Ony (Olney) is mentioned as being chosen Town Treasurer. Thomas Olney was admitted a freeman in Massachusetts 17 May 1637 (M. C. R. 1, 195), and was still in Salem in December 1637 (Salem Rec. Essex Inst. 9, 103), so his removal to Providence would be after that date, and hence these records must be after that date, and not in 1636. The question of the date of his arrival will be discussed later.

In an undated letter from Roger Williams to Gov. Winthrop, which was carried by Wequash, and from the mention in it of letters sent "by Thomas Holyway some weekes Since", and of the "Pequot expedition" in which Holyway served, it would seem to have been written after the close of that expedition in May 1637, and the context would seem to show that it was very soon after that expedition, Roger Williams wrote:

"Deare sr, (notwithstanding our differences concerning the worship of God & the ordinances ministred by Antichrists power) you have bene alwayes pleased lovingly to answer my boldnes in civill things: let me once more find favour in your eyes to gratifie my selfe, mr. James, & many or most of the townesmen combined, in advising what to say to doe to one unruly person who openly in towne meeting more then once, professeth to hope for & long for a better Government then the Countrey hath yet, & lets not to particularize, by a generall Governour, &c. The white wch such a speech or person levells at can be not other then the raising of the fundamentall Liberties of the Countrey, which ought to be dearer to us then our right eyes." (Winthrop Papers 2, 108. M. H. S. C. 4, VI, 242) We do not know what the trouble was in the town meeting, but may perhaps hazard a guess that the "one unruly person" was Verin, of whom we soon hear again. The word "white" as used by Williams in the above letter is equivalent to our word "target." It is a metaphor derived from the white of the bullseye.

The only official record for the year 1637 seems to be that on page 3 of the original manuscript record book, which is as follows:

"Agrements & orders the [second year] of the Plantation. it is agreeede that Williã Carpenter Benedict A[rnold] Francis weekes. Williã Renolds Thomas Angel mrs Daniell Mary Sweete shold pay in consideration of Ground at present Granted unto them 2 s. [apiece] Also Edward cope 5s.

Item mr cole Francis weston Rich. waterman shold pay for each person jo s. i e. for Dammage in case they do not Improv[e] their Grond at present graunted to them vid. by preparing to fense to plaunt to build Etc.

Item that all future commers upon the Graunt of the like portiō of grond unto them for their home share shold pay ji s.

Item that none sell his feild or his lot Graunted in or liberties any person but to an Inhabitant wthout consent of the Towne" (P. R. 1, 3)

From the mention of Mary Sweet instead of her husband, it would seem that she was a widow, and as her husband, John Sweet, was living June 6, 1637 (M. C. R. 1, 139), it would follow that this record must have been after that date.

It would seem that the 2s charged was in excess of the 30s mentioned previously which they were doubtless charged at the time of the allotment of their land.

Benedict Arnold, Weekes, and Angell were young men, who had been in the plantation the preceding year. Carpenter was also a young man, who was married to William Arnold's daughter, and probably came with the Arnolds. The reason for believing that Carpenter was married to Elizabeth Arnold, before they came to Providence is that their son, Joseph, was witness to a deed on 3 May 1656 (P. R. 1, 36), and to be of legal age (21) in 1656, he must have been born before 1636.

Cope was unmarried and may have been (perhaps with Throckmorton and Reynolds) one of the "young men, single persons" mentioned by Roger Williams as arriving in the summer of 1636.

Mrs. Sweet and Mrs. Daniell appear to have returned to Salem, if they had actually moved to Providence in the summer of 1637, which is doubtful, for they are both listed as in Salem; Mrs. Daniell alone and Mrs. Sweet with her family of 4, in December 1637.

Cole, Weston, and Waterman appear from this item to have been granted land in 1637, but not to have moved to Providence, and this is corroborated by the Salem records, which list Richard Waterman with family of 7, Mr. Weston with family of 6, and Mr. Cole with family of 8, as in Salem in December 1637. (Salem Rec. Essex Inst. 9, 101-4)

It will be noted that an act was passed forbidding the sale of land to non-residents without the consent of the governing body.

Previous to these items, land must have been granted to John Sweet, for his son, James Sweet, in a deed dated 8 Nov. 1686 mentions "all right of lands in Providence "as my father John Sweet, deceased, was one of the first purchasers thereof." " (Austin. Geneal. Dict. of R. I. 195) John Sweet was living 6 June 1637, but died sometime during the year, presumably before the official record was made in which his wife is named as if she were a widow. Later in Salem in December 1637 she is called "Widdo Sweet."

In a letter dated "New Providence, 21 of 5th monthe", and supposed to be 21 July 1637 Roger Williams wrote:

"Sr, I am bold to give you this Intimacion, because in these first loose leause, handling the state of a Nationall church, from the 38 page I haue enlarged the differences betweene Israell & all other states. I know & am perswaded that your misguidings are great & lamentable, & the further you pass in your way, the further you wander, & haue the further to come back, & the end of one vexation, will be but the beginning of another, till Conscience be permitted (though erronious) to be free amongst you." (Winthrop Papers 2, 99., M. H. S. C. 4, VI, 206)

By which it would appear that Roger Williams considered that there was freedom of conscience at this time in New-Providence but not in Massachusetts Bay.

In regard to the memorandum on Providence Town Paper 16627 in the hand writing of Daniel Abbott, then Town Clerk, which reads: "2.ly. And in the yeare 1637, became a Towne incorporated Agust the 20th:", the Providence Record Commissioners in 1892, wrote (4th report, p. 11), "In the transcript made in 1800, under the authority of the town, of the first three books of the town, at the head of the first page and directly preceding the copy of the Compact

of Providence (see *Early Records of the Town of Providence*, vol. I, p. I) is written the date "August the 20th, 1637," in the same handwriting in which the transcript is made. Opposite and to the left of this date is written, apparently at a different time, as follows:—

"N. B. this date is on the Left hand page of the following." This date does not appear in the original book, as it now is, and, therefore, was not printed in the volume prepared by the Commissioners. This transcript of 1800, according to the inscription on the book, was "Transcribed by Order of the Town of Providence under the Inspection of a Committee and by them compared."

Comparing these two entries the Commissioners think it may be concluded that the Compact of Providence now appearing on the first page of the First Book of the Town of Providence is the first written compact or act of incorporation of the town, and that it was signed on the 20th of August, 1637. This marks the date at least of the formal foundation of Providence, a date hitherto uncertain."

As the item was written by Daniel Abbott, who did not come to Providence until about 4 June 1639 (M. C. R. I, 256), and must have been a young man at that time, for he was not granted land until 1665, was married in 1678, and died after 1707; it follows that the item is one of tradition rather than of personal knowledge. The date could not have referred to the date of this so-called "compact" or agreement, for the first signer, Scott, had not then come to Providence to reside, and secondly because the said document was a petition to join an already "incorporated" town, not an act to incorporate a town.

It is possible that the date 20 August 1637 may refer to the date on which the governing "masters of families" formally submitted to their own government by signing a document similar to the first draft in Roger Williams letter to Winthrop. (Chap. V) We do not know that they ever

did sign such a document, but from the fact that the second draft in Roger Williams' letter served as a basis for the agreement ("compact"), it is reasonable to suppose that the first draft also was presented to the "masters of families" and discussed by them. It is perfectly possible that it served as the basis for some document of incorporation which has since been lost. It is also possible that this was signed on 20 August 1637, although that day was Sunday.

While there is no contemporary evidence that such an agreement of the "masters of families" was signed at this time, yet it is suggested by the Abbott item, and that such an agreement once existed might be inferred from the wording of the so-called "compact" itself, and it is not contradicted by any contemporary record.

In the spring of 1637 Canonicus and Miantonomi offered to give Prudence Island, alias Chibachuwese, to Roger Williams, if he would go there and dwell, but he declined. On 28 October 1637 he wrote to Winthrop as follows:

"The last of the week, I think the 28th of the 8th. [28 Oct. 1637] Sir, This bearer, Miantunnomu, resolving to go on his visit, I am bold to request a word of advice from you concerning a proposition made by Caunounicus and himself to me some half year since. Caunounicus gave an island in this bay to Mr. Oldam, by name Chibachuwese, upon condition, as it should seem, that he would dwell there near unto them. The Lord (in whose hands all hearts are) turning their affections towards myself, they desired me to remove thither and dwell nearer to them. I have answered once and again, that for present I mind not to remove; but if I have it from them, I would give them satisfaction for it, and build a little house and put in some swine, as understanding the place to have store of fish and good feeding for swine. Of late I have heard, that Mr. Gibbons, upon occasion,

motioned your desire and his own of putting some swine on some of these islands, which hath made me since more desire to obtain it, because I might thereby not only benefit myself, but also pleasure yourself, whom I more desire to pleasure and honour. I spake of it now to this sachim, and he tells me, that because of the store of fish, Caunounicus desires that I would accept half, (it being spectacle-wise, and between a mile or two in circuit, as I guess,) and he would reserve the other; but I think, if I go over, I shall obtain the whole. Your loving counsel, how far it may be inoffensive, because it was once (upon a condition not kept) Mr. Oldam's. So, with respective salutes to your kind self and Mrs. Winthrop, I rest

Your worship's unfeigned, in all I may,

RO. WILLIAMS." (M. H. S. C. 3, I, 165)

On November 10, 1637 Roger Williams purchased Prudence Island for Governor Winthrop and himself and on the same day wrote to Winthrop:

"I have bought & paid for the Iland: and because I desired the best confirmation of the purchase to your selfe that I could, I was bold to insert your name in the originall here inclosed." (Winthrop Papers 2, 103, M. H. S. C. 4, VI, 217)

The deed is as follows:

"The 10th of the 9th month & the first yeare the pequits were subdued: Memorand: that I John Winthrop of Boston Ge- at present Governer of the Massachusetts, & Roger Williams of New providence in the Naniggansick bay have bought of the 2 chiefe Sachams of Naniggansuck Miantunomu & Cannonicus, the Island Called Chibachuwese lying and being in the fore-said Naniggansick bay for the Sum of 20 fathem of wampam and 2 Coats in witnes whereof they have hereunto sett their hands with promiss that if any Swine or other Cattell putt thereon shall be slaine or hurt

by any Natives they will see satisfaction made, and the right of the Island maintained to them their heires or assignes — .

The marke of



Canonicus

the marke of



Miantunomu

In the presence off

Jo Throckmorton."

(R. I. Land Evidences 1, 243. State Archives)

The previous sale of Prudence Island is mentioned in the Aquidneck deed of 24 March 1637/8.

In the latter part of 1637, John Clark, Mr. Hutchinson and several other leaders among the Antinomians came to Providence, and after consulting with Roger Williams about a suitable place for a settlement, went, on his advice and in his company, to Plymouth to learn the extent of the Plymouth jurisdiction. There they were told that Plymouth laid no claim to Aquidneck, and so through the agency and influence of Roger Williams obtained that island from his friends, the Indian Sachems, Canonicus and Miantonomi.

Under the date of 22 March 1637/8 Winthrop wrote in regard to this:

"At this time the good providence of God so disposed, divers of the congregation (being the chief man of the party, her husband being one) were gone to Naragansett to seek out a new place for plantation, and taking liking of one in Plimouth patent, they went thither to have it granted them;

but the magistrates there, knowing their spirit, gave them a denial, but consented they might buy of the Indians an island in the Naragansett Bay." (p. 311)

John Clark in his "Ill Newes from New-England:", (1652) wrote (unn. p. 19): ". . . so to a town called *Providence* we came, which was begun by one M. *Roger Williams* (who for matter of conscience had not long before been exiled from the former jurisdiction) by whom we were courteously and lovingly received, and with whom we advised about our design; he readily presented two places before us in the same *Naragansets Bay*, the one upon the main called *Sow-wames*, the other called then *Acquedneck*, now *Rode-Island*; we enquired whether they would fall in any other Patent, for our resolution was to go out of them all; he told us (to be brief) that the way to know that, was to have recourse unto *Plymouth*; so our Vessell as yet not being come about, and we thus blockt up, the company determined to send to *Plymouth*, and pitcht upon two others together with my self, requesting also M. *Williams* to go to *Plymouth* to know how the case stood; so we did; and the Magistrates thereof very lovingly gave us a meeting; I then informed them of the cause of our coming unto them, and desired them in a word of truth and faithfulness to inform us whether *Sow-wames* were within their Patent, for we were now on the wing, and were resolved through the help of Christ, to get cleer of all, and be of our selves, and provided our way were cleer before us, it were all one for us to go further off, as to remain neer at hand; their answer was, that *Sow-wames* was the garden of their Patent, and the flour in the garden, then I told them we could not desire it; but requested further in the like word of truth and faithfulness to be informed, whether they laid claim to the Ilands in the *Naraganset Bay*, and that in particular called *Acquedneck*? they all with a cheerfull countenance made us this answer, it was in their thoughts to have advised us thereto, and if the provident hand of God should

pitch us thereon they should look upon us as free, and as loving neighbours and friends should be assistant unto us upon the main, &c. So we humbly thanked them, and returned with that answer: So it pleased the Lord, by moving the hearts of the natives, even the chiefest thereof, to pitch us thereon, and by other occurrences of providence, which are too large here to relate: So that having bought them off to their full satisfaction, we have possessed the place ever since; and notwithstanding the different understandings and consciences amongst us, without interruption we agree to maintain civil Justice and judgment, neither are there such outrages committed amongst us as in other parts of the Country are frequently seen." (Reprinted in M. H. S. C. 4, II, 24.)

In this connection Roger Williams wrote in 1658 as follows:

"Providence, 25 6, [25th August] 1658, (so called)."

"I have acknowledged (and have and shall endeavour to maintain) the rights and properties of every inhabitant of Rhode-Island in peace; yet since there is so much sound and noise of purchase and purchasers, I judge it not unseasonable to declare the rise and bottom of the planting of Rhode-Island in the fountain of it: It was not price nor money that could have purchased Rhode-Island. Rhode-Island was obtained by love; by the love and favour which that honorable gentleman Sir Henry Vane and myself had with that great sachem Miantinomu, about the league which I procured between the Massachusetts English, &c. and the Naragansets in the Pequod war. It is true I advised a gratuity to be presented to the sachem and the natives, and because Mr. Coddington and the rest of my loving countrymen were to inhabit the place, and to be at the charge of the gratuities, I drew up a writing in Mr. Coddington's name, and in the names of such of my loving countrymen as came up with him, and put it into as sure a form as I could at that

time (amongst the Indians) for the benefit and assurance of the present and future inhabitants of the island. This I mention, that as that truly noble Sir Henry Vane hath been so great an instrument in the hand of God for procuring of this island from the barbarians, as also for procuring and confirming of the charter, so it may by all due thankful acknowledgment be remembered and recorded of us and ours which reap and enjoy the sweet fruits of so great benefits, and such unheard of liberties amongst us." (Backus. 1. 91)

Perhaps in 1637, at any rate before 1643, Roger Williams obtained the islands of Patience and Hope from the Indians.

Harris in his plea of 17 November 1677 wrote in regard to these islands:

"3. The said Miantonomu sold Warwick then Shawomet, as a copy of the said Grant under public Test we have shews.

4 One or both the said Sachems sold three Islands (sd) to Mr Williams (to say one called Patience Mr Williams put away, another called Prudence Mr Williams parted with & another call'd Hope aliend also yet none need doubt but Mr. Williams is so wise still as to acknowledge his said Granter or Grantors Monarchy and Power to grant as he saith for Rhode Island & I think truly Though Meaksaw son of Connucus [Canonicus] did object to Mr Williams's Title to the said Islands for which Mr Williams threatened him to put him in the Stocks who told Mr. Williams he was not able to put his old Legs in the stocks." (Foster Papers 2, 20. R. I. H. S. R. I. H. S. Q. 1, 197), and "to Mr. Williams Prudence, Patience and Hope Islands . . ." (Foster Papers 2, 38. R. I. H. S. R. I. H. S. Q. 1, 209)

Williams was a witness to the deed from Canonicus and Miantonomi to William Coddington and others, which was dated 24 March 1637/8 and which conveyed Aquidneck;

and also a witness to the privilege granted to the Aquidneck settlers by Ousamequin 6 July 1638. (R. I. C. R. 1, 46)

In 1638 Williams wrote to Winthrop: "Sir, concerning the islands Prudence and (Patmos, if some had not hindered) Aquedenick, be pleased to understand your great mistake: neither of them were sold properly, for a thousand fathom would not have bought either, by strangers. The truth is, not a penny was demanded for either, and what was paid was only gratuity, though I choose, for better assurance and form, to call it sale." (M. H. S. C. 3, 1, 169)

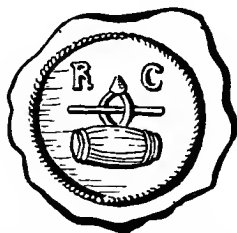
It is not clear what island is meant by "Patmos." If Patience was not obtained until later than this letter, it may apply to that island.

That Roger Williams obtained the island of Patience from the Indians before 8 March 1640/1 is shown by his letter of that date in which he wrote: "Yet the tyde is too strong against us, and I feare (if the framer of Hearts helpe not) it will force mee to little Patience, a little Isle next to your Prudence." (Winslow, 56) About 1651 he sold the "Island called Patience" to Richard Scott. (R. I. Land Evidence. 3, 149)

Roger Williams also obtained Hope Island before 1643, that is before his leaving for England in 1643, for Miantonomi was dead when he returned in 1644. The following is recorded under date of 10 March 1657/8:

"16 Upon mr Roger Williams petition which hath beine red in this Asembly: And also upon the sight of his deed of gift from Miantenomue late cheife Sacham of Narragansett for the Island called: hope; which deed is recorded by order as aforesayed; and upon Evidence presented therto which doth make it undoubtedly A certaine and lawfull deed in the judgmt of the Court the Court doe declare their sence in the premises that mr Williams by the Authority of this Court doe make repayre to the cheife Sachams Successors to Miantenomue and as from the Court desire them to remove their

indians off the sayd Island, and to leave free possession to it to mr Williams and his asignes or Elce they will be prossicuted against leagaly for wrong detainure, By mr Williams or his asignes: And that by the Authority of the lawes in this Collony” (R. I. C. R. 71. printed 1, 383)



Seal used by William Coddington

VII

DIFFICULTIES WITH THE NEIGHBORING COLONIES — THE SETTLEMENT OF AQUIDNECK — THE DEEDS OF AQUIDNECK AND OF PROVIDENCE.

[1637-8]

DURING the year 1637, as during 1636, much of Williams' time was spent in negotiations between the English and the Indians.

William Bradford was Governor of the Plymouth Colony from 7 March 1636/7 to 5 June 1638 and it was probably during this term of office that the dispute arose as to whether Ousamaquin and hence Plymouth Colony, had or had not jurisdiction over the land where Providence was located.

In regard to this Roger Williams wrote:

“3. Sometime after Plymmouths great Sachim (Ousamaquin) upon occasion affirming tht Providence was his land, & therefore Plymmouths Land, & some resenting it, the then prudent & Godly Gor Mr Bradford & others of his godly Councell answered, tht if, after due Examination it should be found true what the Barbarian said, yet having (to my losse of a Harvest tht yeare), bene now (though by their gentle Advice) as good as banished from Plymmouth as from the Massachus: & I had quietly & patiently departed from them (at their Motion) to the place where now I was, I should not be molested & tost up & down againe, while they had Breath in their Bodies . . .” (M. H. S. M. 161, G. 15., M. H. S. C. 1, I, 276)
and:

"After I had obtained this place, now called Providence, of Canonicus and Myantinomy, the chief Nanhigganset Sachems deceased, Osamaquin (the Sachem aforesaid, also deceased) laid his claim to this place also. This forced me to repair to the Nanhigganset Sachems aforesaid, who declared, that Osamaquin was their subject, and had solemnly, himself in person, with ten men, subjected himself and his lands unto them at the Nanhigganset, only now he seemed to revolt from his loyalty, under the shelter of the English at Plymouth. This I declared from the Nanhigganset Sachems to Osamaquin, who without any stick acknowledged to be true, that had so subjected as the Nanhigganset Sachems had affirmed; but withal he affirmed that he was not subdued by war, which himself and his father had maintained against the Nanhiggansets; but God, said he, subdued us by a plague, which swept away my people, and forced me to yield. This conviction and confession of his, together with gratuities to himself, brethren and followers, made him often profess, that he was pleased that I should here be his neighbour, and the rather because he and I had been great friends at Plymouth; and also because his and my friends at Plymouth advised him to be at peace and friendship with me; and he hoped that our children after us would be good friends together. And whereas there hath been often speech of Providence falling in Plymouth jurisdiction by virtue of Osamaquin's claim; I add unto the testimonies abovesaid, that the Governor, Mr. Bradford deceased, and other of their magistrates, declared unto me, both by conference and writing, that they and their government were satisfied, and resolved never to molest Providence, nor to claim beyond Secunk, but to continue loving friends and neighbours (among the barbarians) together. This is the true sum and substance of many passages between our countrymen of Plymouth and Osamaquin, and me.

ROGER WILLIAMS." (Backus I, 73)

and:

"When it pleased the most High, above fortie yeares since (by the advice of tht ever honrd Mr. Jo: Wintrop the Eldest) to Setle me in these parts: I found Caunounicus (the great Sachim of the Nahigonsik) & Ousamaquin (the great Sachim on Plymmouth Side) at deadly feud & Enmitie, both challenging this Mooshausick or Providence, & I was forced to win the Agreeemnt of these 2 great Mortall foes: & to win their Favor & protection, at no small personal Travel & Charges, to their Last breath especially Caunounicus (who was the true Lord of this whole Countrey) whose Eyes I was sent for by him to close up & did: . . ." (Orig. John Carter Brown Library. R. I. H. S. Q. 8, 157)

This matter was again agitated at Plymouth in March 1640/1. (See Chap. XIV)

At the session of the General Court of Massachusetts Bay held at Boston on 12 March 1637/8, it was voted that certain persons, who had permission to leave the colony, should, if they and their families had not departed before the next Court, which would be held in May, report to that Court. Among such persons were named "of Salem Francis Weston, Richrd Waterman, Thom: One, & Stewkely Waskote." As these men and their families were listed as being at Salem in December 1637, and as there is no record that they appeared before the May Court, it seems fair to assume that they moved to Providence sometime between December 1637 and May 1638. Weston and Waterman had had land granted them in Providence in the preceding year. At the same session of the General Court, there is the record of the following proceedings in regard to John Greene.

"Wheareas a letter was sent to this Court subscribed by John Greene dated from Newe Prvidence, & brought by one of that Company wherein the Court is charged wth usurping the powr of Christ over the Churches, & mens Consciencs, notwithstanding hee had formerly acknowl-

edged his fault in such speeches by him before used. It is now ordered that the said John Green shall not come into this jurisdiction upon paine of imprisonment & further Censure, & because it appears to this Courte that some othr of the same place are confident in the same corrupt judgment, & practice: It is ordered that if any other of the inhabitants of the said plantation of Prvidence shall come wthin this jurisdiction they shalbee apprehended, & brought before some of the magistrats, & if they will not disclaime the said corrupt opinion, & Censure they shalbee commaunded prsently to depart, & if such person shall after bee found wthin this jurisdiction, they shalbee imprisoned, & punished as the Court shall see cause. (M. C. R. 1, 218)

In regard to this incident Williams wrote to Winthrop: "I am bold to interpose (in all humble respect) a word or 2 concerning the bearer Mr. Greene: Being at Salem this last weeke to take order about the sale of his howse & comming away, an ancient acquaintance meetes him (Ed: Batter) & questions whether he would come & live there againe unto wch he answered, how could he unles he might enjoy the freedome of his soule & conscience. Ed Batter replied he might so, to wch he again replied, he knew tht could not be for the power of the Lord Jesus was in the hand of civill authoritie; upon this came by Mr Endicot, calls Ed. Batter & questions him (as himselfe related to Mr. Greene) what was their Conference: the summe whereof being told, Mr Endicot warned Mr Greene to appeare at this generall Court.

Sr For my selfe I have no partiall resspect to Mr. Greene nor relation, but of neighbours togeather: Only for the better following of peace, (even when it flies from us) I am bold to acquaint with passages of truth (as I can not but hope) before hand: I shall grieve much tht any molestation or trouble should arise unto you from hence, or tht there be the appearance of any further Jarr. Sr I know to

whome I speake. Mr. Endicot had neede have a true compasse for he makes great way, &c: the Father of Lights & Spirits mercifully be pleased to guide all our steerings:

Mr. Greene here, is peaceable, a peacemaker, & a lover of all English tht visits us. I conceive he would not disturbe peace in relating his Judgment to his friend, (if I may so call him) demaunding it first also of him, or els I presume he should not have heard a word of such matters, if I know Mr. Greene." (Winthrop Papers 2, 102. M. H. S. C. 4, VI, 213)

and:

"I kindly thanke you for your loving inclination to receive my late protestation concerning my selfe, ignorant of Mr. Greenes letter &c. I desire unfeignedly to rest in my Appeale to the most high in what we differ, as I dare not but hope you doe: it is no small grieve tht I am otherwise perswaded, & tht some times you say (& I can say no lesse) tht we differ: the fire will try your workes & mine: the Lord Jesus helpe us to make sure of our persons tht we seeke Jesus tht was crucified: however It is & ever shall be (the Lord assisting) my endeavor to pacifie & allay, where I meete with rigid & censorious spirits, who not only blame your actions butt doome your persons: & indeede it was one of the first grounds of my dislike of John Smith the miller, & especially of his wife, viz. their judging of your persons as divells &c." (Winthrop Papers 2, 105. M. H. S. C. 4, VI, 226)

And Winthrop wrote:

"While the general court sate, there came a letter, directed to the court, from John Greene of Providence, who, not long before, had been imprisoned and fined, for saying that the magistrates had usurped upon the power of Christ in his church, and had persecuted Mr. Williams and another, whom they had banished for disturbing the peace by divulging their opinions against the authority of the magistrates, etc.; but upon his submission, etc., his fine was remitted; and

now, by his letter, he retracted his former submission, and charged the court as he had done before. Now, because the court knew, that divers others of Providence were of the same ill affection to the court, and were probably suspected to be confederate in the same letter, the court ordered, that, if any of that plantation were found within our jurisdiction, he should be brought before one of the magistrates, and if he would not disclaim the charge in the said letter, he should be sent home, and charged to come no more into this jurisdiction, upon pain of imprisonment and further censure." (p. 307)

In regard to Mrs. Hutchinson under the date of March 1637/8 Winthrop wrote, (p. 311):

"... and upon the 28th she went by water to her farm at the Mount, where she was to take water, with Mr. Wheelwright's wife and family, to go to Pascataquack; but she changed her mind, and went by land to Providence, and so to the island in the Naragansett Bay, which her husband and the rest of that sect had purchased of the Indians, and prepared with all speed to remove unto."

It would appear that at Providence the Antinomians again received the assistance of Roger Williams, who accompanied the leaders to the Sachems, and by his negotiations obtained on 24 March 1637/8 a final deed of the island of Aquidneck together with various other privileges and rights upon other islands in the bay and upon part of the main land. This deed, signed by Canonicus and Miantonomi, was witnessed by Roger Williams.

On the same day, 24 March 1637/8, and presumably at the same time and place, Canonicus and Miantonomi signed a deed confirming to Roger Williams the sale of the lands at Moshassuck, which he had purchased of them two years earlier, that is, in the spring of 1636.

It is not definitely known where these deeds were signed, but it seems safe to assume that they were probably signed

at the same time and place. The deed called the "Towne Evidence" (Chap. 8) is dated "At Nanhiggansick", which might mean any where about Narragansett Bay but probably meant in the Narragansett Country, the so-called "South County", or Washington County. The Aquidneck deed contains these words, "the great Island of Acquednecke lyinge from hence Eastward in this Bay." From this it would appear that the signers were west of Aquidneck, either on Conanicut Island or on the mainland on the west side of the bay, presumably between Wickford and Narragansett Pier, for Aquidneck is described as being eastward not northeastward or southeastward. It would perhaps seem more likely that the meeting took place on the mainland, than on Conanicut, for if it was held on Conanicut all would have had to come in canoes, while if it was held on the mainland, it would have been near the Sachem's homes and could have been reached by the settlers either by land over the Indian paths or by water in canoes. Even if the settlers came in canoes, it would have been as easy for them to go to the mainland as to Conanicut Island. It is probably impossible to locate the spot exactly although it may well have been at Pettaquamscut Rock, which later became well known in connection with the boundaries of various purchases from the Indians, or some other large rock in the vicinity, whence a good view could be had of the great island of Aquidneck and on a clear day perhaps even the lands of Moshassuck could be discerned in the dim distance.

VIII

THE "TOWNE EVIDENCE" AND ITS MUTILATION

THE original of the confirmatory deed of the lands at Providence was left in the possession of William Arnold and became badly mutilated.

Two copies of it were made and these were preserved, one by William Harris and one by Thomas Olney. (P. R. 3A, 165)

At a Town Court held 7, 12 mo. 1658, these two copies were accepted as correct and thereupon in the town record book was transcribed:

"A true Coppye of the Towne Evidence, as followeth. Att Nanhiggansick, The 24th of the first Month Comonly called March in the second yeare of our plantation, or planting at Moshausick, or Providence.

Memorandum, That wee Caunanicusse and Meiauan-tunnomu the two chiefe Sachims of Nanheggansuck, having Two yeares since sold unto Roger Williams the lands & meaddowes upon the two fresh Rivers called mowshausuck & wanasquatuckett, doe now by these presents Establish & Confirme the bounds of those lands from the Rivers & Fields of Pautuckett, The great hill of Neotaconkonitt on the norwest and the towne of Mashapauge on the west. As also in Consideration of the many Kindneses & services he hath continually done for us both with our friends of Massachusetts, as also at Quinitikticutt, And Apaum or Plimouth, wee doe freely Give unto him all that land from those Rivers Reaching to Pautuxett River, as also the Grasse &

meaddowes upon Pautuxett River, In witnes where of wee have hereunto set our hands

The marke



Caunanicusse

of

The marke of



Meiantenomus

in the presence of

The mark of



Soatash

The marke of



Assotemewett

(P. R. 3A, 165., P. T. R. 4, 70)

That the original was mutilated is shown by the following items in the town records:

"The Seventh of the Twelwe Month 1658 At our Towne Court; William Arnold of Pautuxet Came into this presant Court and did acknowledge That those two Coppies, (to witt) of William Harrisses & Thomas Olneys which hath these words in them as Followeth, are the true words of that writeing Called the towne Evidence of Providence, And that

which is wanting in the now writeing called the towne Evidence, which agreeth not with those two Coppies was torne by accident in his house at Pautuxet." (P. R. 3A, 165., P. T. R. 4, 70)

The following is the testimony of William Field in regard to the mutilation of the "Town Evidence":

"now sir I Conceive this William Arnold to obtaine his owne ends to deprive us of our wright of the said lands of Pautuxet, that wee might have nothing to shew for it . . . Cuningly Cut out or otherwise got out of the said Evidenc all Concerning the said our wright of pautuxet and pasted the said writing together againe so Cuningly that it Could hardly bee diserned but by those who well knew by Roate what was ormerly in the Evidence but so it happeneth that by gods providence there is a Copy or two of his owne hand wrighting (which I Conceive hee had forgot) to be seene which Compared with the deformed evidence doth fully demonstrate his naughty and evell intent . . ." (P. T. P. 01293. Field's Rhode Island, 1, 30)

and:

"Providence the 4th of the 3rd moonth, (1650.)

The answer to the declaration of William feilde Plantive, in the action of case now depending, against William Arnold defendant;

Wherein aboute the towne evidence, the saide plantive in commencing the sute in his owne perticuler name sheweth himselfe to bee more willfully faltie, then hee can prove the defendant to bee, in the Accident or miscariing, of the writing, which hee himselfe calles the towne, evidence; yet . . ." (P. T. P. 035) (P. T. R. 15, 30)

The manner in which it was mutilated is described in an anonymous letter "To the Honoured cort sitting at new Port on Rhod Ileland the fourth of May 1708", as follows:

"I heard my father at several times give a relation of William Arnold Raseing out some of their Town deed my

father said that after they had written coppies out of the Town deed it was put into the hands of William Arnold to keep and when the Towns men had an ocaion to call for their deed some of the deed was cut out and the two ends laid together and pastted on a pees apaper my father said the Town men were exceding angry and would have had William Arnolds ears bin cropt and proved him pargared [perjured] father said old Mr William feild prest very hard to have Arnold eares cut of my father said he was unwilling and parswaided very much wt his partnours to forbear and not to bring the old man to open shame in old Age my father said he could hardly Restraine them from the old mans eares if my father had bin silant at that time it had bin well old mr carpenters eldest son Joseph carpenter before he went to long Ileland to live was at work at my fathers and I heard my father aske him what the matter was his Granfather Arnold hatted my father so greatly Joseph carpenter answered my father that his Granfather told him that he had the orgginal deed of the Town in keeping and his Granmother thought it was apees of wast paper and Raped up gardon seeds in it when she had soed her seeds she threw away the deed as waist paper and he found it and wt lieing out in the wet some of the deed Tore out and William Harris would have had his eares cut of my father told Joseph carpenter if he had not wtstud them and intreated them very much they would have cut of his Granfathers eares becuse his Granfather had cut out some of the Town deed my father told Joseph carpenter they could tell what was cut out by the coppies . . .” (P. T. P. 39 A, 16786. R. I. H. S. Q. 4, 196)

The authorship of this letter had been ascribed to various persons. From the fact that in the letter the writer says “and my father bought Mr Hollemans Right,” that the letter deals with “the many strang and strong undermining Trancactions acted done by those men called pawtuxet

of y^e first month
 of y^e second year of
 the Mooshauick or Providence
 announces to Miantunnah
 King of Manbiggonick
 2 years since sold unto Rev William
 and his wife upon the 2^d fresh river
 Mooshauick or Wanasquatuckut do
 now by their presents establish & confirm
 the bounds of those lands from y^e river & fields
 of Pantuckut to great hill of Noto
 quonkoneet & the town
 of Plauskagog & west
 their in witness
 set our hands

in y^e presence of
 J^m Sotaash

y^e mth of  Canowamen

y^e mth of A Notemait

y^e mth of Miantunomi

We 3 men of the said
 town of Noto
 know the
 of said
 right here
 at
 about
 WITNES
 Rev William
 Ben
 den

man" and that by a deed dated 29 January 1651 Ezeikell Holliman sold to William Harris "his Pautuxett Right" (Prov. Town. Meeting. 3, 79., P. T. R. VIII, 135), it would appear that the writer was one of the children of William Harris. On account of the resemblance of the handwriting, this letter has been ascribed to Howlong Harris-Fenner, daughter of William Harris and wife of Arthur Fenner. Reproductions of these handwritings were published in volume IV, number 4 of the Publications of the Rhode Island Historical Society, New series, January 1897.

William Harris in his plea of the Pawtuxet Purchasers 17 November 1677 wrote:

"... our Books had fallen into som Mens Hands that kept them from us and before We could recover them one part concerning Pawtuxet was taken out & the Paper, on both sides thereof put Edge to Edge and pasted together on another Paper and only one Word left on that side which word was Pawtuxet but blotted as this Word ████████ that might be read Pawtuxet." (Foster Papers 2, 28. R. I. H. S., R. I. H. S. Q. I, 202)

and:

"As to the First that our grant was cancelled We prove by a Vote of the Town by which (what was lost,) was obtained. At that Time our said Grants were so long concealed that almost all knew not where they were nor where to enquire after them. Seeing what Strange Acting there was in Town a fayvour called to mind that I had a Copy of our Evidences to perform on A Word with others between Providence and Patuxet which looking for I found and shewed the Inhabitants, who soon after wrote to the Man of whom I had my Copy for the Original who sent as he said what he could find, his Wife he said had given it with Garden Seeds to some of Providence, and so it was Torn, but Thomas Olney Senr had a Copy as I had, under the said Mans Hand which We produced and he confessed and born his solemn Testemony

to the Truth of the said Copy all which was entered on Record . . .” (Foster Papers. 2, 31)

On 4 April 1662 the defaced original deed was enrolled on the Town books by Thomas Olney Jr. as follows:

“The Enrolement of the wrighting Called the Towne Evidence after it was defaced; (as Followeth)

Att Nanhiggansick; the 24th of the first Month Comonly called March the 2nd yeare of our plantation, or planting at Moshosick, or providence,

Memorandum, that wee Caunounicus, & Miantenomu the 2 cheife Sachims of Nanhiggansick having 2 yeares since Sold unto Roger Williams the landes & Meaddowes upon the 2 fresh Rivers called Moshosick & wanasquatuckett doe Now by these presentes Establish, & confirme the boundes of those landes from the River & fieldes of pautuckquitt, the great hill of Neotaconckonett on the Norwest, & the Towne of Mashappauge on the West

in wittnesse where of wee have here unto Sett our handes

the Mke of




Caunounicus

the mke of



Miantenomu

the mke  of Soatash

the mke  of Asotemewitt

(P. R. 3B, 446. P. T. R. 5, 296)

A photograph of the original deed in its present defaced condition appears opposite page 64. The original is in a book entitled "Indian Deeds" which is preserved in office of the Recorder of Deeds, City Hall, Providence.

It will be noted that the word "river" appears on the original deed in next to the last line of the text, but that it does not appear in Olney's enrollment of it. From this circumstance it might seem that the word "river" was added to the original since Olney made his enrollment in 1662. If Olney had made an accurate copy of the original this theory might be well founded, but from a comparison of the two documents it will be seen that in copying the deed of 123 words, Olney made at least 24 errors in spelling, 11 errors in capitalisation, 2 in punctuation, and put "zed" instead of "second". Among the misspellings is that of the signatures of Miantunnomu and of Sotaash, respectively a grantor and a witness of the deed. He made at least an average of one mistake in every four words copied, so that the omission of one word is not surprising, especially as that word as it stands in the defaced original does not make sense.

On 9 December 1915, I made an examination of the muti-

lated original Town Evidence. The watermarks of the paper are still decipherable. Two of the heavy vertical lines in the lower sheet butt almost exactly against two of the similar lines of the upper sheet, the heavy lines thus running approximately continuously in these two instances. The two heavy vertical lines nearest the left hand side of the lower sheet do not butt up against the ends of the similar lines of the upper sheet, but these lines of the upper sheet are an eighth of an inch or more to the left of those of the lower sheet and do not run in a direction parallel with them but slant to the left towards the left edge of the paper.

At the phrase "Set our hands" is a watermark device the lines of which extend upward to the edge of the paper but do not continue on the upper sheet, which shows that part of the paper is missing for the watermark device is clearly not complete, but had more of the device above the present upper edge of the lower sheet.

The following deposition of Roger Williams describes the first purchase:

"Providence 7. Febr. 1677: 8 (so called)

I Roger Williams of the Town of Providence in New Engl. aged about seventie five years yet (through Gods mercy) of fresh understanding & memorie doe (at the request of my honrd kind friends & neighbors Capt Houlden & Cap Green, declare & testifie viz: tht it pleased the most High to make use of myselfe the first in this Colony to break the Ice with the Barbarians & from them to procure the lands & medowes of the Towns of Providence & Pawtuxit That for peace sake I parted with my Interest in Providence & Pawtuxit: & yet in my deeds given to the Town of Providence & the twelve Pawtuxet men, I gave not one foot of land or medow unto them beyond our known bounds set us in our grand deed from the Sachims Caunonicus & Miantunnomi, to wit Maushapog & [Nota] quonckanet & from thence to Pawtuxit & Pawtuckt and therefore far from reaching to Pachasit, much

less beyond it to Meshauntutuk & Narrow R lands and meadows:

In witness to the premeses I subscribe.

ROGER WILLIAMS."

(Copy in R. I. H. S. M. 10, 43, R. I. H. S. Q. 8, 156)

And on 18 June 1678 Roger Williams wrote:

"As to the Head of Wanasquatuckut: I must humbly pray yor leave to say (what the Most High is witnes to) tht the great Sachims never gave me nor did I give to any a foote beyond those knowne stated bounds fixt us in our grand Original deede to wit Pawtuckqut, Notaquonckanit Mau-shapog & Pawtuxet wch at the furthest the sachims would never Suffer to extend beyond Paupauquunnuppog far short of W. Har his being at Pauchasit wch was ever accounted by the Indians a Violation, & God knowes tht by my Mediation & purse I gained W. Har: libertie by Connivence (for my sake) to stay there in safty (as mr Olney said) like Nebuchadnezzar not fit to live in a Societie of Men at Towne." (Orig. John Carter Brown Library. R. I. H. S. Q. 8, 158)

It will be noticed that Williams mentioned Pawtuxet as one of the bounds of the original deed, thus confirming the correctness of the missing clause as supplied in the enrollment of 1658.

IX

CASE OF THE TOWN *vs* VERIN 1638 — LIBERTY OF CONSCIENCE UPHELD — THE EARTH- QUAKE AND THE FLOOD — THE INITIAL DEED AND DEED OF PAWTUXET

[1638]

OF a town meeting, that is a meeting of the enfranchised heads of families, held 28 March 1638 we have the following records:

“28 die, mense 12

It was agreede that two [men] shold be deputed to view the Timber on the [common] that such as have occasion to use timber shold repaire unto them for their advise & consent to fell timber fitt for their use betwene the shares graunted & mile end Cove.

Item that from the sea or River in the wes[t] end of the towne. unto the Swamp in the East [end] of the feilds that no person shall fell any wood or Timber. before any particular mans shares end.

Item that any timber felled by any person lieing on the grond above a yeare after the fellin[g] shall be at the townes disposing beging at the 28 die of the month above written.”

(P. R. 1, 3)

A committee of two men was appointed to view timber. This is the first delegation of power of which we find record. As far as we know up to this time all business had been done in grand committee by all the voters assembled.

In the spring of 1638 or thereabouts the settlement at Providence was increased, as we have said, by the arrival of

Thomas Olney, Francis Weston, Richard Waterman, Stukely Westcott, and their families. Robert Coles, Alice Daniell, Mary Sweet and Ezekiel Holliman and their families probably came at this same time for they were in Salem in December 1637, and Coles and Holliman were in Providence in June 1638. Mrs. Daniell became the wife of Greene sometime before December 1638 according to Winthrop (p. 341), and Mary Sweet, widow of John, became the wife of Ezekiel Holliman, who had been tried and censured 12 March 1637/8 at the aforesaid Court.

The next item in the town records is that of 21 May 1638.

"The 21 die of the 3 month.

It was agreede that Joshua Verin upon the breach of a covenant for restraining of the liberty of consciensce shall be withheld from the liberty of voting till he shall declare the contrary." (P. R. 1, 3)

This is the famous Verin incident previously mentioned. On the next day 22 May 1638 Williams wrote to Winthrop as follows:

"Sr, we have bene long afflicted by a young man, boysterous & desperate, Philip Verins sonn of Salem, who, as he hath refused to heare the word with us (wch we molested him not for) this twelve month, so because he could not draw his wife, a gracious & modest woman, to the same ungodlines with him, he hath troden her under foote tyranically & brutishly: wch she & we long bearing, though with his furious blowes she went in danger of life, at the last the major vote of us discard him from our civill freedome, or disfranchise, &c: he will have justice (as he clamours) at other Courts: I wish he might, for a fowle & slanderous & brutish cariage, wch God hath delivered him up unto: he will hale his wife with ropes to Salem, where she must needes be troubled & troublesome as differences yet stand. She is willing to stay & live with him or else where, where she may not offend &c. I shall humbly request tht this item be

accepted, & he no way countenanced, untill (if need be) I further trouble you . . ." (Winthrop Papers 2, 109. M. H. S. C. 4, VI, 245.)

It will be noted that liberty of conscience, that is religious liberty and religious toleration as we know it, was recognized in Providence, and that the town permitted Verin full liberty to worship as he chose, and took no action until Verin by his actions came under civil censure for civil disturbance, both by maltreating his wife and more especially by the violation of the covenant of religious toleration. Verin persecuted his wife for her religious practices. The town did not persecute Verin for his religious practices, but punished him for his religious intolerance of others, particularly of his wife.

In regard to this Winthrop wrote:

"At Providence, also, the devil was not idle. For whereas, at their first coming thither, Mr. Williams and the rest did make an order, that no man should be molested for his conscience, now men's wives, and children, and servants, claimed liberty hereby to go to all religious meeting, though never so often, or though private, upon the week days; and because one Verin refused to let his wife go to Mr. Williams so oft as she was called for, they required to have him censured. But there stood up one Arnold, a witty man of their own company, and withstood it, telling them that, when he consented to that order, he never intended it should extend to the breach of any ordinance of God, such as the subjection of wives to their husbands, etc., and gave divers solid reasons against it. Then one Greene (who hath married the wife of one Beggerly, whose husband is living, and no divorce, etc., but only it was said, that he had lived in adultery, and confessed it) he replied, that, if they should restrain their wives, etc., all the women in the country would cry out of them, etc. Arnold answered him thus: Did you pretend to leave the Massachusetts, because you would not offend God to

please men, and would you now break an ordinance and commandment of God to please women? Some were of opinion, that if Verin would not suffer his wife to have her liberty, the church should dispose her to some other man, who would use her better. Arnold told them, that it was not the woman's desire to go so oft from home, but only Mr. Williams's and others. In conclusion, when they would have censured Verin, Arnold told them, that it was against their own order, for Verin did that he did out of conscience; and their order was, that no man should be censured for his conscience." (p. 340)

Arnold's arguments were an attempt to augment the power of the heads of families over the other members of the family, and were either a narrow interpretation of Scripture or an attempt to cause laughter and so defeat justice by ridicule.

Later in 1638 Verin and Arnold formed a plot against Williams and wrote slanderously about him as appears from Williams' letter to Winthrop as follows:

"Sir, I hear, that two malicious persons, (one I was bold to trouble your worship with not long since,) Joshua Verin, and another yet with us, William Arnold, have most falsely and slanderously (as I hope it shall appear) conspired together (even as Gardiner did against yourselves) many odious accusations in writing. It may be, they may some way come to your loving hand. I presume the end is, to render me odious both to the king's majesty, as also to yourselves. I shall request humbly your wonted love and gentleness (if it come to your worship's hand) to help me with the sight of it, and I am confident yourself shall be the judge of the notorious wickedness and malicious falsehoods therein, and that there hath not past aught from me, either concerning the maintaining of our liberties in this land, or any difference with yourselves, which shall not manifest loyalty's reverence, modesty and tender affection." (M. H. S. C. 3, I, 177)

Verin it appears left Providence soon after his trial for he is not called neighbor in the record of June 10th and is not mentioned in the deed of 8 October 1638; and his wife, Jane, was residing in Salem before the 25 December 1638. (Quar. Court. Essex Co. 1, 10)

The colonists having worried through the excitement of the Indian troubles of 1636 and 1637, including the Pequot War, and through the hardships attending the settling of a town, were visited in 1638 with an earthquake and a flood.

Under the date of 1 June 1638 Winthrop wrote:

"Between three and four in the afternoon, being clear, warm weather, the wind westerly, there was a great earthquake. It came with a noise like a continued thunder or the rattling of coaches in London, but was presently gone. It was at Connecticut, at Naragansett, at Pascataquack, and all the parts round about. It shook the ships, which rode in the harbor, and all the islands, etc. The noise and the shakings continued about four minutes. The earth was unquiet twenty days after, by times." (p. 318)

Williams in a letter to Winthrop wrote:

"First, in the affaires of the Most High; his late dreadfull voice & hand; tht audible & sensible voice, the Earthquake.

All these parts felt it, (whether beyond the Nanhiggon sick I yet learne not), for my selfe I scarce perceaved ought but a kind of thunder & a gentel mooving &c, & it was no more this way to many of our owne & the natives apprehensions, & but one sudden short motion.

The younger natives are ignorant of the like: but the ellder informe me tht this is the 5t within these 4 score yeare in the land: the first about 3 score & 10 yeare since: the second some 3 score & 4 yeare since, the third some 54 yeare since, the 4th some 46 since: & they allwayes observed either plague or pox or some other epidemicall disease followed; 3, 4, or 5 yeare after the Earthquake, (or Naun-aumemoauke, as they speake).

He be mercifully pleased himselfe to interprete & open his owne ridles, & graunt (if it be pleasing in his eyes) it may not be for destruction, & but (as the Earthquake before the Gaolers conversion) a meanes of shaking & turning of all hearts, (wch are his,) English or Indian, to him. To further this (if the Lord please) the earthquake sensibly tooke about a thoughtsand of the natives in a most sollemne meeting for play, &c." (Winthrop Papers 2, 105, M. H. S. C. 4, VI, 229) This earthquake is again mentioned in Chapter XI.

Under the date of 3 August 1638 Winthrop wrote:

"In the night was a very great tempest or hiracano at S. W. which drave a ship on ground at Charlestown, and brake down the windmill there, and did much other harm. It flowed twice in six hours, and about Naragansett it raised the tide fourteen or fifteen foot above the ordinary spring tides, upright." (p. 320)

Some time in August 1638 an Indian messenger was robbed and murdered about 12 miles from Providence by some Plymouth men. This affair is discussed at length in Chapter X.

The Providence records contain the following item:

"The 10th of 4th month

Md the Severall portions of grasse & meadow wch our neighbour Greene or neighbour Co[le] neighbour Arnold & nr Weston Layd out [in] the Townes name unto or neighbour James neighbour Olney neighbour Waterman neighbour Cole neighbour Weston neighbour Carpenter, neighbour Holyman were Confirmed as their proper Right & Inheritance to them & theirs, as fully as the former portions appropriated to or neighbour Throckmorton neighbour Greene neighbour Harris Joshua [Verin, neighbour Arnold and neighbour Williams were or are confirmed to them & theirs.]" (P. R. 1, 3.)

Under the date of 10 June 1638 we find the above-quoted confirmation of the land laid out to the newcomers; Olney,

Waterman, Cole, Weston, Holliman, James, and Carpenter. This confirmation contains an implication that the lands held by Throckmorton, Greene, Harris, Verin, Arnold, and Williams had previously been confirmed to them. It will be noticed that Verin alone is not called neighbour. This was because he moved away between May 21, the date of his trial, and June 10th, the date of this record.

Westcott, Smith and Reynolds are the only heads of families supposed to have been here at this time, who were not mentioned in the record. Westcott was in Providence in October 1638. He may have arrived after June 10. As Smith and Reynolds were not mentioned in the October deed it would seem as though either they had temporarily, at least, left Providence, or else, what is perhaps more probable, that they were omitted from the deed on account of poverty or bad conduct. Smith was apparently poor for he is one of the 25 acre men in 1645, and illiterate for he signed with his mark.

This committee to lay out land, consisting of John Greene, Robert Cole, William Arnold, and Francis Weston, is the second town committee of which we have record.

The next historical document is the so-called "Initial Deed":

"[Me]morand:

That I R W, haveinge formerly purchasse[d] of Connonicus and Miantinomie this or Situati. or plantation of New providence Viz; the 2 fresh Rivers Wanas and Wooshe and the ground and Medowes thereupon in Consideration of 30£. Recieved from the Inhabittants of the Said place, Doe freely and fully pass grant and make over Equall Right and power of Injoying and disposing the Same grounds and lands, unto my Loveing Friends and Neighbours: St. W; W. A; T; J; R C, J T; W H, J G, W C, T O, J [error for F] W, R Wat, E H, and Such others as the Major part of us shall admitt into the same fellowship of Vote with us —

As alsoe I doe freely make and pass over Equall Right and power of injoying and dispossinge the lands and grounds Reaching from the afore-said Rivers unto the great River pawtuxett wt the grass and Meadows thereupon which was alsoe latly give and granted by the 2 afore-said Sachims to mee Witness my hand R. W." (P. T. P. 0120)

On 1 October 1661, John Throckmorton, and on 2 October 1661, William Arnold, and Richard Waterman, each testified before the Town Deputy, Arthur Fenner, that such an instrument had been given by Roger Williams to the thirteen proprietors of Pawtuxet. (P. T. P. 0120)

There is no date to this deed but in 1661 it was re-executed with the names in full as follows:

"The Enrolement of A Wrighting

Signed by Roger Williams, as Followeth

Providence 8 of the: 8th mon: 1638 (so called)

Memorandum tht I Roger Williams haveing formerly purchased of Caunounicus, & Miantenomue this our scituation, or plantation of New providence, viz the Two Fresh Rivers Wanasquatuckett & Mooshausick, and the ground & Meadows thereupon; In Consideration of Thirtie poundes received from the Inhabetantes of the saide place, doe freely, & Fully passe grant & make over Equall Right and power of Enjoyeing & dispossing the same groundes & Landes unto my Lo: Friends & neighbors Stukley Westcoot; Wm Arnold; Thomas James; Robert Cole: John Greene; John Throckmorton: Wm Harris: Wm Carpenter: Tho: Olney, Francis Weston, Rich: Waterman: Ezechiell Holli-man: and such others as the Major part of us shall admitt into the same Felloshipp of Voate with us, As also I doe Freely make & passe over Equall Right and power of Enjoyeing and despossing of the Lands & Grounds Reaching from the aforesaid Rivers unto the great River pawtuxett with the grasse and meadows there upon wch was so lately

given & granted by the aforesaid Sachims to me wittnesse my hand:

Providence 22: 10, 1666 (so called) ROGER WILLIAMS

This paper & writing is a true
Coppie of a wrighteing given by
me about Twenty Eight yeares
since, & differs not a tittle only so is dated
as neere as we Could guesse about the time
and the names of men (written in a straight
of time & hast) are here Explained by me

ROGER WILLIAMS

in the presence of us

JOHN BROWN

JON SAYLES

THOMAS HARRIS ASSISTANT." (P. R. 3, 34)

This deed gives us a list of the heads of families in Providence exactly as we would expect from the study of the extant documents relating to the period to this date as shown herein before, with the exception of Reynolds and Smith.

Wickes, Angell, Benedict Arnold, and Cope were not heads of families and had not as yet been enfranchised. Mary Sweet and Alice Daniell had by this time probably remarried.

This second omission of Smith and Reynolds is significant. Reynolds later signed the so-called "Compact" together with Wickes, Angell, Benedict Arnold, Cope and others. I have found no record showing that Smith was ever enfranchised.

Upon the same day that the "Initial Deed" was executed these thirteen proprietors of Providence drew up another agreement, whereby the Pawtuxet lands were divided amongst them for the sum of £20 to be assessed equally, and paid to Roger Williams. This money had been paid to him as the receipt shows on or before 3 December 1638.

"Heere followeth a true Coppye of an agreement made betweene severall Inhabitants of the Towne of Providence

The eight of the eight moneth in the yeare 1638

It is agreed this day abovesaid that all the Meddow ground at Patuxett, bounding upon the fresh River on both sides is to be impropriated unto those 13 persons being now Incorporated together in our Towne of providence viz Ezekeiell Holliman, Frances Weston, Richard Waterman, Thomas Olney, Robert Coles, William Carpenter, William Harris John Throckmorton, Roger Williams, John Greene, Thomas James, William Arnold, Stuckley Westcott; and to be equally divided among them, and every man to pay an equall proportion to raise up the sume of 20£ for the same and if it shall come to passe that some or any one of these thirteene persons abovesaid, doe not pay or give sattisfaction of his or their equall proportions of the aforesaid sume of Twentey poundes by this day eight weekes which will be the seventh day of the 10th moneth next ensueing that they or he shall Leave theire or his proportion of meddow ground unto the rest of these 13 persons to be at their disposing who shall make up the whole sume of Twentye poundes which is to be paide unto Roger Williams." (P. T. P. 03)

"Memorandum on the 3d of the 10th m: 1638 (called) according to former agreement I received of the neighbors abovesaid the full sume of 18£: 11s: 3d.

Pr me ROGERUM WILLIAMS

Provydence 24th of the 5th m: 1650 (so called)" (P. T. P. 037)

It will be noted that the word "seventh" in the document is an error for "third" and that the receipt is dated correctly. Also 12/13 of £ 20 is £ 18-9-3, not £ 18-11-3.

In regard to the Pawtuxet division Roger Williams wrote:

"Pawtuxet I parted with at a small addition to Providence (for then that monstrous bound or business of upstream without Limits, was not thought of) Wm Harris and the first 12 of Providence were restless for Pawtuxet and I parted with it upon the same terms, viz for the supply of the destitute, and I had a Cow of them (then dear) when these

12 men (out of pretence of Conscience & my desire of Peace) had gotten the power out of my hands, yet they still yielded to my grand desire of propagating a public Interest, and confessed them selves but as feoffees, for all the many scores, who were recd afterwards paid the 30/- not to the purchasors (so called) as proprietors, but as feoffees for a Town stock" (Harris Papers 2, 237. R. I. H. S.)

The word "cow" in the above letter has been variously transcribed as "loan" (R. I. H. T. 14, 56), and as "law", but "cow" seems to be the correct reading of it. James Brown (1666-1732) wrote in regard to cows in the early times: "at the first was great scesety of provison one cow was sold for 22 pound in silver and gold, as I have bin credably informed. I have heard sum of the first setelers spake of a feast in those dayes and there deinty foud was a boiled bass without any buter." (Mss. Papers concerning Providence. R. I. H. S.)



Seal of Thomas Olney, Jr.

X

THE MURDER OF PENOWANYANQUIS
AUGUST, 1638

SOMETIME early in August 1638 four white men of Plymouth robbed and murdered Penowanyanquis, an Indian messenger, about twelve miles from Providence. In regard to this Williams wrote to Winthrop:

“Sir, there hath been great hubbub in all these parts, as a general persuasion that the time was come of a general slaughter of natives, by reason of a murther committed upon a native within twelve miles of us, four days since, by four desperate English. I presume particulars have scarce as yet been presented to your hand. The last 5th day, toward evening, a native, passing through us, brought me word, that at Pawatuckqut, a river four miles from us toward the bay, four Englishmen were almost famished. I sent instantly provisions and strong water, with invitation, &c. The messengers brought word, that they were one Arthur Peach of Plymouth, an Irishman, John Barnes, his man, and two others come from Pascataquack, travelling to Qunnihticut; that they had been lost five days, and fell into our path but six miles. Whereas they were importuned to come home, &c. they pleaded soreness in travelling, and therefore their desire to rest there.

The next morning they came to me by break of day, relating that the old man at Pawatuckqut¹ had put them

¹The “old man at Pawatuckqut,” mentioned in this letter of Williams, can be no other than William Blackstone, who at this time was living in seclusion at his farm on Study Hill, just north of Pawtucket.

forth the last night, because that some Indians said, that they had hurt an Englishman, and therefore that they lay between us and Pawatuckqut.

I was busy in writing letters and getting them a guide to Qunnihticut, and inquired no more, they having told me, that they came from Plymouth on the last of the week in the evening, and lay still in the woods the Lord's day, and then lost their way to Weymouth, from whence they lost their way again towards us, and came in again six miles off Pawatuckqut.

After they were gone, an old native comes to me, and tells me, that the natives round about us were fled, relating that those four had slain a native, who had carried three beaver skins and beads for Caunounicus' son, and came home with five fathom and three coats; that three natives which came after him found him groaning in the path; that he told them that four Englishmen had slain him. They came to Pawatuckqut, and inquired after the English, which when Arthur and his company heard, they got on hose and shoes, and departed in the night.

I sent after them to Nanhiggantick, and went myself with two or three more to the wounded in the woods. The natives at first were shy of us, conceiving a general slaughter, but (through the Lord's mercy) I assured them that Mr. Governour knew nothing, &c. and that I had sent to apprehend the men. So we found that he had been run through the leg and the belly with one thrust. We drest him and got him to town next day, where Mr. James and Mr. Greene endeavored, all they could, his life; but his wound in the belly, and blood lost, and fever following, cut his life's thread.

Before he died, he told me that the four English had slain him, and that (being faint and not able to speak) he had related the truth to the natives who first came to him, viz. that they, viz. the English, saw him in the bay and his beads; that sitting in a side of a swamp a little way out of the path,

(I went to see the place, fit for an evil purpose,) Arthur called him to drink tobacco, who coming and taking the pipe of Arthur, Arthur run him through the leg into the belly, when, springing back, he, Arthur, made the second thrust, but mist him; that another of them struck at him, but mist him, and his weapon run into the ground; that getting from them a little way into the swamp, they pursued him, till he fell down, when they mist him, and getting up again, when he heard them close by him, he run to and again in the swamp, till he fell down again, when they lost him quite; afterwards, towards night, he came and lay in the path, that some passenger might help him as aforesaid.

Whereas they said, they wandered Plymouth way, Arthur knew the path, having gone it twice; and beside, Mr. Throckmorton met them about Naponset River in the path, who, riding roundly upon a sudden by them, was glad he had past them, suspecting them. They denied that they met Mr. Throckmorton.

The messenger that I sent to Nanhiggontick, pursuing after them, returned the next day, declaring that they showed Miantunnomu letters to Aquedenick, (which were mine to Qunnihtiquit,) and so to Aquedenick they past, whither I sent information of them, and so they were taken. Their sudden examination they sent me, a copy of which I am bold to send your worship enclosed.

The islanders (Mr. Coddington being absent) resolved to send them to us, some thought, but us to Plymouth, from whence they came. Sir, I shall humbly crave your judgment, whether they ought not to be tried where they are taken. If they be sent any way, whether not to Plymouth. In case Plymouth refuse, and the islanders send them to us, what answers we may give, if others unjustly shift them unto us. I know that every man, quatenus man, and son of Adam, is his brother's keeper or avenger; but I desire to be bonum bene, &c." (M. H. S. C. 3, I, 171.)

And on August 14 he wrote again to Winthrop:

"Sr, — Since my last (unto wch you were pleased to give answer with kind advice concerning the murther of the native) . . ."

and:

"The natives, friends of the slaine had consultacion to kill an English man in revenge: Miantunnomu heard of it, & desired tht the English would be carefull on the high-ways, & sent himselfe expresse threatnings to them &c. & informed them tht Mr. Govr would see justice done. Ousamequin comming from Plymmouth told me tht the 4 men were all guiltie; I answered but one; he replied true, one wounded him, but all lay in wait 2 dayes, & assisted. In conclusion, he tould me tht the principall must not dye, for he was Mr. Winslowes man: & allso tht the man was by birth a Neepmuck man; so not worthy an other man should die for him: I answered what I thought fit, but conceive there will be neede of wisdom & zeale in some, & remembrance of tht Vox Coeli: He tht doth violence to the blood of any person, let him flee to the pit: let none deliver him. The Lord mercifully cleanse the land from bloud, & make the bloud of his sonn Jesus more precious in all our eyes." (Winthrop Papers 2, 110., M. H. S. C. 4, VI, 248)

And again after visiting Plymouth Williams wrote:

"Sir, at Plymouth, it pleased the Lord to force the prisoners to confess, that they all complotted and intended murder; and they were, three of them, (the fourth having escaped, by a pinnace, from Aquedenick,) executed in the presence of the natives who went with me. Our friends confessed, that they received much quickening from your own hand. O that they might also in a case more weighty, wherein they need much, viz. the standing to their present government and liberties, to which I find them weakly resolved.

They have requested me to enquire out a murder five years since committed upon a Plymouth man (as they now

hear) by two Narriganset Indians, between Plymouth and Sowwams. I hope (if true) the Lord will discover it." (M. H. S. C. 3, I, 176)

Winthrop wrote in his Journal:

"Four servants of Plimouth ran from their masters, and, coming to Providence, they killed an Indian. He escaped, after he was deadly wounded in the belly, and gat to other Indians. So, being discovered, they fled and were taken at the Isle Aquiday. Mr. Williams gave notice to the governour of Massachusetts, and desired advice. He returned answer, that, seeing they were of Plimouth, they should certify Plimouth of them, and, if they would send for them, to deliver them; otherwise, seeing no English had jurisdiction in the place where the murder was committed, neither had they at the Island any government established, it would be safest to deliver the principal, who was certainly known to have killed the party, to the Indians his friends, with caution that they should not put him to torture, and to keep the other three to further consideration.

After this, Plimouth men sent for them, (but one had escaped,) and the governour there wrote to the governour here for advice, especially for that he heard they intended to appeal into England. The governour returned answer of encouragement to preceed notwithstanding, seeing no appeal did lie, for that they could not be tried in England, and that the whole country here were interested in the case, and would expect to have justice done. Whereupon they proceeded as appears after." (p. 321), and:

"The three prisoners, being brought to Plimouth, and there examined, did all confess the murder, and that they did it to get his wampom, etc.; but all the question was about the death of the Indian, for no man could witness that he saw him dead. But Mr. Williams and Mr. James of Providence made oath, that his wound was mortal, etc. At last two Indians, who with much difficulty, were procured to

come to the trial, (for they still feared that the English were conspired to kill all the Indians,) made oath after this manner, viz.: that if he were not dead of that wound, then they would suffer death. Upon this they three were condemned and executed. Two of them died very penitently, especially Arthur Peach, a young man of good parentage and fair conditioned, and who had done very good service against the Pequods.

The fourth escaped to Pascataquack. The governour sent after him, but those of Pascataquack conveyed him away, and openly withstood his apprehension. It was their usual manner (some of them) to countenance, etc., all such lewd persons as fled from us to them." (p. 323)

Twelve miles from Providence would not be within the jurisdiction of Providence, and Winthrop appears to have considered the murder to have taken place on the west side of the bay, where there was no English jurisdiction. Morton, on the other hand states that the murder was committed in the jurisdiction of Plymouth and hence on the east side of the Bay.

Morton wrote:

"This year three men were executed for robbing and murdering an Indian near Providence, which, besides the evidence that came against them, they did in substance confess against themselves, and were condemned by legal trial. Some have thought it great severity, to hang three English for one Indian; but the more considerate will easily satisfy themselves for the legality of it; and, indeed, should we suffer their murderers to go unpunished, we might justly fear that God would suffer them to take a more sharp revenge. By such arguments was the Government of Plimouth moved by the Government of the Massachusetts to do justice in the case. And here may be noted, that the Massachusetts refused this trial, as being committed in the jurisdiction of Plimouth; and they of Rhode Island, having apprehended

them, delivered them to the aforesaid jurisdiction of Plymouth, on the same grounds." (p. 207)

At the General Court held at New Plymouth 4 September 1638 was recorded:

"Arthur Peach, Thomas Jackson, Richard Stinnings, & Daniell Crosse were indicted for murther & robbing by the heill way. They killed and robd one Penowanyanquis, an Indian, at Misquamsqueece, & took from him five fadome of wampeux, and three coates of wollen cloth.

The jury's names that went upon them were these:—

William Hatch,	} sworne.	John Paybody,	} sworne
John Winslowe,		Richard Sillis,	
Willm Pontus,		Humfrey Turner,	
Edward Foster,		Samuell Hinckley,	
Richard Derby,		Giles Rickett,	
John Holmes,		Gabriell Fallowell,	

They found the said Arthur Peach, Thomas Jackson, and Richard Stinnings guilty of the said felonious murthering & robbing of the said Penowanyanquis, but say that they, nor any of them, had any lands or tennements, goods or cattles, at the tyme of the said felonie committed that they know of; and so they say all.

Daniell Crosse made an escape, & so had not his tryall; but Peach, Jackson, & Stinnings had sentence of death pronounced; viz, to be taken from the place where they were to the place from whence they came, and thence to the place of execucon, and there to be hanged by the neck untill their bodyes were dead, wch was executed upon them accordingly." (P. C. R. I, 97)

Bradford under the year 1638 wrote:

"Amongst other enormities that fell out amongst them, this year 3. men were (after due triall) executed for robbery & murder which they had committed; their names were these, Arthur Peach, Thomas Jackson, and Richard Stinnings; ther was a 4., Daniel Crose, who was also guilty, but

he escaped away, and could not be found. This Arthur Peach was the cheefe of them, and the ring leader of all the rest. He was a lustie and a desperate yonge man, and had been one of the souldiers in the Pequente warr, and had done as good servise as the most ther, and one of the forwardest in any attempte. And being now out of means, and loath to worke, and falling to idle courses & company, he intended to goe to the Dutch plantation; and had alured these 3., being other mens servants and apprentices, to goe with him. But another cause ther was also of his secret going away in this maner; he was not only rune into debte, but he had gott a maid with child, (which was not known till after his death,) a mans servante in the towne, and fear of punishmente made him gett away. The other 3. complotting with him, rañe away from their maisters in the night, and could not be heard of, for they went not the ordinarie way, but shaped such a course as they thought to avoyd the pursute of any. But falling into the way that lyeth betweene the Bay of Massachusetts and the Narrigansets, and being disposed to rest them selves, struck fire, and took tobacco, a litle out of the way, by the way side. At length ther came a Narigansett Indean by, who had been in the Bay a trading, and had both cloth & beads aboute him. (They had meett him the day before, & he was now returning.) Peach called him to drinke tobacco with them, and he came & sate downe with them. Peach tould the other he would kill him, and take what he had from him. But they were some thing afraid; but he said, Hang him, rogue, he had killed many of them. So they let him alone to doe as he would; and when he saw his time, he tooke a rapier and rane him through the body once or twise, and tooke from him 5. fathume of wampam, and 3. coats of cloath, and wente their way, leaving him for dead. But he scrabled away, when they were gone, and made shift to gett home, (but dyed within a few days after,) by which means they were discovered; and by subtilty the Indeans

tooke them. For they desiring a canow to sett them over a water, (not thinking their facte had been known,) by the sachems comānd they were carried to Aquidnett Iland, & ther accused of the murder, and were examēd & comitted upon it by the English ther. The Indeans sent for Mr. Williams, & made a greeveous complainte; his freinds and kinred were ready to rise in armes, and provock the rest thereunto, some conceiving they should now find the Pequents words trew: that the English would fall upon them. But Mr. Williams pacified them, & tould them they should see justice done upon the offenders; & wente to the man, & tooke Mr. James, a phisition, with him. The man tould him who did it, & in what maner it was done; but the phisition found his wounds mortall, and that he could not live, (as he after testified upon othe, before the jurie in open courte,) and so he dyed shortly after, as both Mr. Williams, Mr. James, & some Indeans testified in courte. The Govrt in the Bay were aquented with it, but refferd it hither, because it was done in this jurisdiction; but pressed by all means tht justice might be done in it; or els the countrie must rise & see justice done, otherwise it would raise a warr. Yet some of the rude & ignorante sorte murmured that any English should be put to death for the Indeans. So at last they of the iland brought them hither, and being often examened, & the evidence prodused, they all in the end freely confessed in effect all tht the Indean accused them of, & that they had done it, in the maner afforesaid; and so, upon the forementioned evidence, were cast by the jurie, & condemned, & executed for the same. And some of the Narigansett Indeans, & of the parties freinds, were presente when it was done, which gave them & all the countrie good satisfaction. But it was a matter of much sadnes to them hear, and was the 2. execution which they had since they came; being both for wilfull murder, as hath bene before related. Thus much of this mater."

XI

THE BAPTISTS — THE “CIVIL COMPACT”

IN a letter to Governor Winthrop, written after Williams' return from Connecticut and so after 21 September 1638, Roger Williams wrote:

“Sr, this is the occasion of this enclosed: I understand tht a servant of yours, Joshua —— is some trouble to your selfe, as allso to others, & consequently can not (if he desire to feare the Lord) but himselfe be troubled & grieved in his condicion, though otherwise I know not where under Heaven he could be better.

If it may seem good in your eyes (wanting a servant) I shall desire him (not simply from you) but for your peace & his. I shall desire your best & full satisfaction in payment, & what summe you pitch on, to accept it either from this bill, or if you better like from tht debt to Mr. Ludlow, for wch he promised yor worship to pay me 800 waight of tobacco but did not, & I presume yor worship may with ease procure it; but I subscribe *ex animo* to your choice, & with respective salutacions & continued sighes to Heaven for you & yours, rest desirous to [be]” (Winthrop Papers 2, 111. M. H. S. C. 4, VI, 253).

Later in two letters to John Winthrop the younger, Williams mentioned Joshua Windsor as formerly a servant of the elder Winthrop. (M. H. S. C. 4, VI, 289, and 3, X, 40)

Richard Scott and family probably came to Providence to live after 8 October 1638, for his name is not among those admitted as proprietors on that date, and there is no record of a grant of land to him in 1638, and also in a letter of Roger Williams written probably in October 1638, Mr. Scott is

called "a Suffolk man". By Scott's signing as a witness to the deed of Prudence Island dated 22 April 1639, and from the item under March 1638/9 in Winthrop's Journal, which reads: "for a sister of Mrs. Hutchinson, the wife of one Scott, being infected with Anabaptistry, and going last year to live at Providence . . .", it would appear that the Scotts were living in Providence in March and had probably moved there in or between October and December 1638. Scott may have moved to Providence just before the time that he is mentioned by Williams in the aforesaid letter, in which case Williams would have meant, "a Suffolk man who had recently arrived amongst us."

The items given below from page 2 of Volume I of The Providence Records refer either to the year 1638 or 1639. They could not be before 1638 as under or after the date of 16 die 4 Month (June 16) Thomas Ony is chosen Town Treasurer, and he did not leave Salem until after December 1637, and probably between March and May 1638.

The record may be for 1638. The reasons for thinking that it is for 1639 are: first, that as Olney arrived in the spring, the inhabitants might be more likely to elect some one who had been longer a resident to the position of Town Treasurer at a meeting in June 1638, while by June 1639 he would be much better known and so more eligible for that office; secondly, that in a community where there were only 13 heads of families to meet as in 1638, it would be as necessary to fine them for non-appearance, and there would not be so many absentees, as in a larger community such as Providence was in 1639; and thirdly, that whereas apparently only a few persons came early in 1638 viz: Cole, Weston, Waterman, Olney, and Holliman, and perhaps Westcott, many more came in 1639 and so there would be more need for regulations about the admission of new-comers. These items, probably relating to the 1639, are as follows:

"[16 die 4 Mont]h:

[Md. It] was agreede by the Towne that after [warn]ing geven to come to the towne meting that whosoever be wanting to the meting above one quarter of an howre after the time appointed by him that [gave] the warning shall pay to the Towne for every such default ii s.

md. that whosoever shall depart without Leave frō the towne meting shall pay ii s.

[Md.] It was agreede by the towne that a [t]reasuror shold be appointed for the keping (and [as] the towne shall appoint) for the expending the townes stock who is to geve account as the towne shall thinke fitt for this First month Thomas Ony is chosen.

Md. 13 die. month 6^o: it was agreede by the towne that if any man be to be receaved as an Inhabitant into the towne. if the necessity be such as that without much losse he who is to [be] ad[mitte]d c[ann]ot stay for an Answer till [the] month day that then on any other day their be foure dayes waring geven to the Inhabitants incorporate for their meting together for such a purpose.

Mdu. That on 3^o die of the 10 month it was agreede by the towne that after waring geven to come to the towne meting whosoever be wanting frō the towne meting above the one quarter of an howre after the time appointed by him that geveth warning the party delinquent as not having a sufficient cause of his absence shall pay to the towne for every such default ii s. as also he who kepeth the bookes for that month is to observe & take notice who is wanting and present his name to the Towne." (P. R. 1, 2)

This latter item seems to show that the Town Clerk was appointed each month.

Austin in his "Genealogical Dictionary of Rhode Island" states, without giving his authority: that William Hawkins received land Dec. 20, 1638; and that John Lippitt in 1638 was one of those who had a house lot and 6 acre lot.

The following items on Providence Town Paper 01 refer to this year, 1639.

“1639

Mdu: third month 13 die. it was agreed by the consent of the towne that by the last of the month aforesaid the Rams shold be sen[t] away to the Iland. and in case of L[oss] of any of them it is to be borne by common charge

Rd of wm Arnold toward the Payment of 22s to wm

Harris.....	00	03	0[8]
J G:.....	00	00	10
R: W.....	00	02	01
J Th:.....	00	00	1
W. C.....	00	00	10
[00	[1]”

(P. T. P. 01)

The following items on the same sheet of paper may refer to 1638, but owing to the fact, that we do not know that Riccards and Wigghingten were here in 1638, and that we know that Winsor did not come until the fall of 1638, and that it is on the same sheet of paper with the above 1639 item, 1639 would seem the more probable date, which must have been before 1640 for James had then moved away. These items are:

“I Pd to Ed: Cope: Bened Arnold & s			
Geo: Riccards	00	13	00
Cash mr Cole the Townes debt	02		
[Stukely westcott]		10	00
W Harris	01	10	08
[Joshua] Winsor	00	10	05
[Balance Jo: Throckmorton] of Mr }			
Williams		2-01-00	
[] towne from Mr Cole		2-0	00
[St]ukeley westcot		2-00-	
[Wm Harris]		1-00-00	
Wm Wigghingten		0- 5-00	

Received from mr Throgmorton 46s
 for the use of the townes
 per me Tho: James

Whereof ten shillings geven to Ezekiell Holimn
 for the stocks & this towne booke.

Item 36 shillings left with [

] towne of the neighbors." (P. T. P. 01)

From this it would appear that Thomas James was Town Treasurer during part of 1639.

The item at the top of this paper is extraordinary: "The Last of 10th mon. yeare so called 1635 Rd by me Roger Williams of John Greene of the towne stock the full sum of £02 09s

Roger Williams."

It would seem as though the 1635 must be a mistake for some later year, as it is hardly credible that a "towne stock" for the then unfounded town, could have been in existence in Salem in December 1635, before the flight of Williams in January 1635/6. The date 1635 has apparently been written in over the original in a later hand. It is probable that the one who "restored" this date mistook the original date, which may have been 1638, for 1635. In many cases the old-fashioned 8 resembled a 5. If this explanation is correct, it would follow that John Greene was Town Treasurer in December 1638.

After the date of 16 March 1638/9 in his Journal, Winthrop wrote:

"At Providence things grew still worse; for a sister of Mrs. Hutchinson, the wife of one Scott, being infected with Anabaptistry, and going last year to live at Providence, Mr Williams was taken (or rather emboldened) by her to make open profession thereof, and accordingly was rebaptized by one Holyman, a poor man late of Salem. Then Mr. Williams rebaptized him and some ten more. They also denied the baptizing of infants, and would have no magistrates.

At Aquiday, also, Mrs. Hutchinson exercised publicly, and she and her party (some three or four families) would have no magistracy. She sent also an admonition to the church of Boston; but the elders would not read it publicly, because she was excommunicated. By these examples we may see how dangerous it is to slight the censures of the church; for it was apparent, that God had given them up to strange delusions. Those of Aquiday also had entertained two men, whom the church of Roxbury had excommunicated, and one of them did exercise publicly there. For this the church of Boston called in question such of them as were yet their members; and Mr. Coddington, being present, not freely acknowledging his sin, (though he confessed himself in some fault,) was solemnly admonished.

This is further to be observed in the delusions which this people were taken with: Mrs. Hutchinson and some of her adherents happened to be at prayer when the earthquake was at Aquiday, etc., and the house being shaken thereby, they were persuaded, (and boasted of it,) that the Holy Ghost did shake it in coming down upon them, as he did upon the apostles." (p. 352) Savage adds the footnote:

"If the like assertion of rejecting magistracy, which, in the text immediately after, is made about Rhode Island, be untrue, as will be clearly proved, we may doubt this alleged insanity of the people at Williams' plantation."

By magistrates Winthrop doubtless meant officers combining religious and civil powers, for it is probable that Winthrop was unable to fully grasp the idea of a civil officer with no authority in religious affairs. It will be noted that he makes this reference to magistrates in connection with what he considered severe religious disturbances.

In regard to Williams, Richard Scott wrote:

"I walked with him in the Baptists Way about 3 or 4 Months, but in that short time of his Standing I discerned, that he must have the Ordering of all their Affairs, or else

there would be no Quiet Agreement amongst them. In which time he brake off from his Society, and declared at large the Ground and Reasons of it: That their Baptism could not be right, because It was not Administred by an Apostle." (Fox 2, 247)

From this it would appear that Williams withdrew from the Church in 1639, and Backus states that he was succeeded by Thomas Olney. "Mr. Thomas Olney, who had been a member of the Congregational church in Salem, but left them and came to Providence in 1638, was the next pastor of this Baptist church, and was also useful in civil offices, until his death in 1682." (Backus 3, 217)

In these early times the services were carried on in the minister's house, as in shown by the evidence in the Verin case.

An inquiry as to the persons who were the original members of this church is printed as appendix B in "Historical Catalogue of the members of the First Baptist Church in Providence, Rhode Island", Providence 1908.

The separation of the Church and State in Providence makes this discussion extraneous to the present volume.

On 22 of the 2d month in the 14 year of the reign of King Charles (22 April 1639) Roger Williams of New-Providence deeded his interest in Prudence Island to John Throckmorton of New-Providence, (Rhode Island Land Evidence 1, 243), and Throckmorton went there to live, for Williams in a letter to Winthrop mentions his fear that the Nayan-taquit Sachims "will take revenge upon Mr. Throckmorton at Prudence." (Winthrop Papers 2, 114. M. H. S. C. 4, VI, 263)

The following agreement with regard to suffrage was probably signed between October 1638, when Williams mentions Mr. Scott as of Suffolk, and July 27, 1640 when Chad Browne and John Warner reported on a committee. It is as follows:

The sundry names are her
 desirous to inhabit in the town
 Providence do promise is put into
 in action or passive obedience to all
 such orders or agreements as shall
 be made ^{for public good of the body} by the major consent of the
 Inhabitants may be of families to
 together into a towns fellowship
 others whom they shall admit
 only in civil things

Ritard Groll.

William B. Renolds mark
 John ① Smith

Agard Browne

John Varnum

George Weeks

Edna

James Angell

James Angell

Francis Weeks mark

Benedict Arnold

Joseph Winsor

"We whose names are here [under] desirous to inhabitt in the towne [of] Providence do promise to subject [ourselves] in active or passive obedience to al[l] such orders or agreements as shall [be] made for publick good of or body in an orderly [way] by the major consent of the [present] Inhabitants maisters of families In[corporated] together into a towne fellowship a[nd] others whome they shall admitt [unto them] only in civill things.

Richard Scott

mark

William × Renolds

mark

Chad browne

John × Feild

John Warner

George Ricka[rds]

Edwarde Cope

Thomas Angells × mark

Thomas Harris

Frances weekes × mark

Benedict Arnold

Josua winsor

William Wickenden."

(P. R. 1, 1)

It will be seen that the young men, Cope, Angell, Weekes, and Benedict Arnold, signed this "Compact", and also the new-comers Scott, Browne, Warner, Richards, Thomas Harris, Winsor, Wickenden, and Field. Reynolds had previously been granted land, but had not been admitted a proprietor in 1638. It has already been noted that John Smith, miller, the only other man supposed to be here at that time, and known to have been here earlier, was neither admitted to proprietorship in 1638, nor was one of those who signed this instrument.

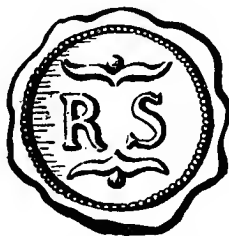
This document which is in the handwriting of Roger Williams, is based upon the draft of an agreement included in the letter from Williams to Winthrop already quoted.

It will be noticed that the name of the town had by this time changed from New-Providence back to Providence.

In regard to this document, Sidney S. Rider in 1905 wrote in Book Notes, volume 22, page 107:

"This agreement is written at the top of the first page in the first record book of this town. It occupies eleven lines. Saving these eleven lines, there were in 1879 four pages left blank for signatures for the names of those who desired to be admitted. Then began the First records of the town (Prov. Early Rec. 1, 1, 2, 3). The blank leaf, two pages, was removed and destroyed by the person who inlaid the book, Albert V. Jenckes, and thus was destroyed an acute piece of historical evidence. Had I not observed and noted the fact in 1879, this curious but acute evidence would have now been unknown."

An examination of the photograph will show that the "Compact" was all written by the same person, the last line clearly being the same hand-writing as the preceding lines, and as clearly not the hand-writing of the first signer Scott. Compare the "c's", "h's", "u's", "t's", and the general slant of the letters.



Seal of Richard Scott

XII

MIANTONOMI CONFIRMS THE DEED THE "MEMORANDUM" TO THE DEED

[1639]

ON 9 May 1639 Miantonomi again confirmed the original transfer of the lands at Providence to Roger Williams, and also the confirmatory deed of 24 March 1637/8. He also confirmed to the settlers the privilege of grazing their cattle upon all the grass bordering upon the Pawtucket and Pawtuxet rivers.

The record as it is in the accepted "Towne Evidence" of 1658 is as follows:

"i639, Memorandum. 3. month. 9. day This was all againe confirmed by Miantenomu he acknowledged this his act and hand up the streame of Pautuckett & Pautuxett without limmets wee might have for our use of Cattell.

wittness here of

Roger Williams
Benedict Arnold."

(P. R. 3A, 165)

It was again recorded on the Town's book, from the mutilated original deed in 1662 as follows:

"Md 3 Mont: 9 die this was all againe confirmed by Miantenomu he acknowledged this his act and hand up the Streame of pautucke[tt] and Pautuxett without limmetts we might have for our use of Cattle Wittnesse here of

Benedict
Roger Williams:
Arnold"
(P. R. 3B, 446)

The "1639" year date was evidently not on the original in 1662 and is not now on the original (see illustration page 64), although at the place where it should be, nothing has been torn out or defaced. Therefore this date was ascribed to this "memorandum" in 1658, nineteen years after the event, yet by men who were in Providence at that earlier date and were acquainted with the proceedings at that time.

Williams in a letter dated "Providence this 9th of the 3rd" [1639] wrote to Winthrop:

"Sir, — I a[m req]uested by Caunounicus & Miantun-nomu to present you with their love & respect (which they allso desire may be remembred to all the English Sachims) as allso with this expression of the continuance of their love unto you, viz. 30 fathom of Beades (10 from Caunounicus, & 20 from Miantunnomu) & the basket a present from Miantunnomu's wife to your deare companion Mrs. Winthrop: 3 things they request me to desire of you." (Winthrop Papers 2, 113. M. H. S. C. 4, VI, 259.)

This letter might lead one to infer that Miantonomi visited Williams at Providence on 9 May 1639, and brought messages from Canonicus and Miantonomi's wife, which he asked Williams to forward to Governor Winthrop and his wife. This would corroborate the date 9 May 1639 as being the true date of this confirmation by Miantonomi. It was at this time that Miantonomi together with the settlers set the bounds of the purchase.

This confirmation post-script, "memorandum", was the basis of a later land controversy over the question, as to whether or not the Sachems deeded to the settlers a full land title to all the lands on the Pawtuxet river upstream without bounds. It will be seen that literally and legally this confirmation did not transfer this grass-land, but merely gave the settlers the privilege, presumably revokable by the Sachems at pleasure, of grazing their cattle on these lands.

In regard to this Williams wrote: "Pawtuxet I parted

with at a small addition to Providence (for then that monstrous bound or business of upstream without Limits, was not thought of)" (Harris Papers 2, 237. R. I. H. S., R. I. H. T. 14, 55), and later in the same letter: "But as to upstream without limits (in the boundless and monstrous sense it is now urged) it came from the same forge from whence bloody & monstrous Hocest Corpus, this is my body, Muim, cume [meum, sume]."

It will thus be seen that Williams understood it to refer to the grazing of cattle only, and not to the actual transfer of a large tract of land.

In his letter of 18, 8, 1677 Roger Williams wrote:

"... after Miantinomo had set us our bounds here in his own person, because of the envious clamors of some against myself, one amongst us (not I) recorded a testimony or memorandum of a courtesy added (upon request) by the sachem, in these words, *up stream without limits*. The courtesy was requested and granted, that being shortened in bounds by the sachem because of the Indians about us, it might be no offence if our few cows fed up the rivers where nobody dwelt, and home again at night. This hasty, unadvised memorandum W. H. interprets of bounds set to our town by the sachems; but he would set no bounds to our cattle, but up the streams so far as they branched or run, so far all the meadows, and at last all the uplands, must be drawn into this accidental courtesy, and yet, upon no consideration given, not the sachem's knowledge or hand, nor witnesses, nor date, nor for what term of time this kindness should continue.

Second. In my testimony, I have declared that Miantinomo having set such short bounds (because of the Indians) upon my motion, payments were given by us to Alexander and Philip, and the Narragansett sachems, near two hundred and fifty pounds, in their pay, for inland enlargements, according to leave granted us by the General

Court upon our petition. This after purchase and satisfaction to all claimers, W. Harris puts a rotten title upon it, and calls it confirmation, a confirmation of the title and grant of *up streams without limits*; but all the sachems and Indians, when they heard of such an interpretation, they cried commoobin, lying and stealing, as such a cheat as stunk in their pagan nostrils." (Knowles 409.), and:

"Fifteenth. The town of Warwick, who challenge twenty miles, about part of which, Will. Harris contending with them, it is said, was the first occasion of W. Har. falling in love with this his monstrous Diana *up streams without limits*, that so that he might antedate and prevent (as he speaks) the blades of Warwick.

Sixteenth. The Town of Providence, by virtue of Canonikus' and Miantinomo's grant renewed to me again and again, viz. of as large a plantation and accommodation as any town in the country of New-England. It is known what favor God pleased to give me with old Canonikus, (though at a dear-bought rate) so that I had what I would (so that I observed my times of moderation;) but two or three envious and ungrateful souls among us cried out, What is R. Williams? We will have the sachem come and set our bounds for us; which he did, and (because of his Indians round about us) so sudden and so short, that we were forced to petition to our General Court for enlargement." (Knowles 410), and:

"Honored gentlemen, if his Majesty and honorable Council knew how against all law of England, Wm. Harris thus affects New and Old England, viz. that a vast country should be purchased, and yet be but a poor courtesy from one sachem, who understood no such thing, nor they that begged it of him, who had not, nor asked any consideration for it, who was not desired to set his hand to it, not did; nor are there the hands of witnesses, but the parties themselves, nor no date, nor term of time, for the use of feeding cows, up streams

without limits, and yet these words, (*up streams without limits*) by a sudden and unwary hand so written, must be the ground of W. Har. this raising a fire about these thirty years unquenchable. If his Majesty and Council knew how many of his good subjects are claimers and competitors to these lands and meadows up the streams of Pawtuxet and Pawtucket, though only one comes thus clamoring to him, to cheat all the rest. If his Majesty and Council knew this confirmation W. H. talks of, what a grand cheat it is, stinking in the nostrils of all Indians, who subscribed to and only confirmed only such bounds as were formerly given us, and W. Harris clamors that they confirmed Miantinomo's grant of up streams without limits, a thing which they abhor to hear of, and (amongst others) was one great occasion of their late great burning and slaughtering of us." (Knowles 411)

From these quotations it will be seen that Williams accepted the fact of the "memorandum of 1639", and did not deny that 1639 was the correct date of it.

That Roger Williams was acquainted with the transaction is clear from his writings, and that he was present is also evident, so that his signature as a witness is not only possible but might naturally be expected. He does not question the memorandum, nor deny that he signed it, but simply denies Mr. Harris' interpretation of its meaning.

That the "memorandum" was written by Thomas James appears from the following quotation from William Harris:

"And though We do not need the last Clause in our Grant to the aforesaid Bound yet for the Reputation of Right Credit of the Case of the Grantors Grant, Grantees Witnesses and Clark or Scrivener (who was a Man of Learning and Wisdom one Mr. Thomas James once Paster of the Church at Charlestown) I will therefore prove the said Clause a good Grant, in sound Words which creates and gives a Property The Words are these (viz) 1639 Mo. 3. Month 9 Die

This was again confirmed by Miantonomu He acknowledged this [his] act and Hand up the streams of Patucket and Patuxet with out Limits we might have for our use of Cattle Roger Williams Benedict Arnold" (Foster Papers '2, 41 R. I. H. S. Q. 1, 210)

On 8 October 1660 Thomas Olney gave the following testimony in an attempt to prove that Roger Williams understood the Sachems' deed, the so-called Towne Evidence, to cover the land west of the Pocasset River.

"Tho olney his Testamony proveing
tht Roger Williams doth now deny what formerly he did as to
bounds of patuxcet medows

8th 8th mth, 1660.

Betweene 20 and 22 yeares agoe Mr Roger Williams, Jo: Throckmorton, Stuckley Westcot Mr William Feild, William Arnold, William Harris, William Carpenter and my selfe Agreed together to lay out meddows that did belong to patuxit men, wee went the first day that wee went forth to search out what meddow wee could finde; Wee went first to Mashepaug and there found some, from thence wee went to William Harrisses meddow which he now enjoyes, then to spectacle meddow from thence to paupauquinipaug: then Mr: Williams made a motion to us to goe further up patuxet to search for more we assented and soe we went over the river to paupauquinipaug from thence we went to Cowaude for thence we came to Toaskeunck and there wee found a good quantity and Mr. Williams told us it was ours at that present there was at Toaskeunck a greate pawow of Narragansett Mr: Williams said that the Pawow asked him wherefore wee came Mr: Williams said he told him to looke out meddow, that Myantonomy had sold to him, he said that the pawow wondered that Myantonomy should sell that meddow and not make him acquainted with it seing he had the charg of those young men that there dwelt, and as we came home Mr: Williams made a motion to us to give that

pawow some small gratuitye seing he had something to doe with the young men of the place

Providence 8 day 8 This I testifie upon that Ingagement
moneth 1660 is upon me as a Town Deputy
 pr me Thomas Olney senior"

(Harris Papers 1, 88. R. I. H. S., R. I. H. S. C. 10, 57)

This testimony of Olney is in direct contradiction to that of Williams, Wickenden, and Westcott.

Harris himself in a letter to Carpenter, Arnold and Rhodes, dated 25 Dec. 1656, thus characterises his own star witness, Olney:

"And thinke not, tht your, nor Tho Oln Jugleing will creddet, your Cause, he hath bene, and will be, as much an enemy to your cause as any man, to his power (for his advantage) Though, he be not willing to be seene, (In the coste: & trouble, for his Councell I care noe more, then I care for youres, (in this case) Nor, for the coste to make hem pay, his parte of the chare, If he Refuse, (In due time "). (Harris Papers 2, 15. R. I. H. S., R. I. H. S. C. 10, 53)

The following is the testimony of Wickenden and Westcott in regard to the bounds:

"William Wickenden beinge Ingadged Testiffieth that the Boundes of the Towne of Providence are the River & Fieldes of Patuckset & the further parte of the hill Notacomamet is the northwest Boundes and alsoe the saide Deponant Testifyeth that he was one that pitcht the Boundes betweene Patuckset River and Wonaspatuckset upon an Equal Distance & that the Line wente to a Rocke which was as high into the Country as wee consieved as Notaconkonott hill and also Testiffieth that he doth Judg tht the utmoste Boundes from the Sea is about Six miles & also he testifyeth that Patuckset men were not to Runne higher then Providence by vertue of agreemente betweene Providence & Patuxet.

Taken in Courte". . . .

"Stukely Westcot beinge Ingadged Testiffieth that Mr Williams Received the Landes of Providence from Mian-tonomu the Sachim but we had not Boundes Sett where upon we sente to the sd Sachim to come & Sett our Boundes, hee comeinge there was some Difference between or selves, so tht he went away and Lefte the Lande unbounded, and alsoe he saith that they never understood theire Boundes to be further then Pachaset River,

Taken in Courte helde in March 1659 or 60"
(Harris Papers 1, 87. R. I. H. S., R. I. H. S. C. 10, 55)

The record of Benedict Arnold's testimony given in March 1659 is as follows:

"Mr. Benedict Arnold upon his Engadgment saith the name Subscribed in the paper where the Evidence of Providence is was not his hand wrighteing But he saith that he did Subscribe his name to such a paper as that is aboute that time

Taken in Courte held in March 1659
(Harris Papers 1, 87. R. I. H. S., R. I. H. S. C. 10, 56)

It is not quite clear what is meant by this testimony. If Arnold was referring to the original deed and memorandum when he denied his signature, it would appear that he was denying that as the original, but admitting that there was an original somewhere that he had signed. Under this interpretation, the matter becomes greatly involved for the so-called and accepted Towne Evidence thereby would be shown to be not the original but a copy or replica.

If on the other hand, Arnold was referring to a copy of the original deed and memorandum, a copy of the so-called Towne Evidence, his testimony would then be neither obscure not contradictory. In that case he would simply mean that the signature on the copy shown him was not his signature, but that he did sign the original.

At a Town Meeting held at Providence 6 March 1659/60, it was recorded that: "For asmuch as William Harris hath

this day desired of the Towne that he might hav[e] the Towne Evidence downe to Newport haveing ocation to use it at the Court

It is Therefore granted that the Clarke shall deliver the saide Evidence unto the said William Harris; and the said William Harris shall deliver the said Evidence unto the Clarke again saffely in Convenient season as the Towne shall see meette:" (P. R. 2, 61)

From this it would appear that the original Towne Evidence was taken to Newport to the Court held Tuesday, 13 March 1659/60, but it does not follow that, even so, this was shown to Benedict Arnold when he testified. Or Arnold may have signed his name at the very bottom of the paper and in the "accident" the part bearing his name may have been lost after which some one else wrote his name higher up on the paper. (Compare the signature of Benedict Arnold upon the Towne Evidence with his signature upon the "Compact".)

Roger Williams in 1669 wrote:

"1 I ans: By the Sachims grant to me of an abundant sufficiencie to my selfe & my Friends (for those were the Teamms (& in reason — can not be imagind otherwise) I never understood infinite & boundless matter, no nor 20 miles, but what was of realty accounted sufficient for any plantation or towne in the Countrey,

2 As to Warwicks 20 mile I even tooke it to be a Mistake (like many other grand mistakes betweene the English & the Natives

3 If it were so & true at Warwick yet (as I said before) the Sachims & my selfe never intended such vast & monstrous businesses but what was usually allowed to the biggest Townes in N. Engl"

(R. I. H. S. M. 921., R. I. H. T. 14, 30)

In regard to Harris' accusation in 1677, that the land was "sold", not given, by the Indians, we have the letter of Roger Williams written to Governor Winthrop in 1638, long

before that question had been raised by Harris. In it Williams wrote:

"Sir, concerning the islands Prudence and (Patmos, if some had not hindered) Aquedenick, be pleased to understand your great mistake: neither of them were sold properly, for a thousand fathom would not have bought either, by strangers. The truth is, not a penny was demanded for either, and what was paid was only gratuity, though I choose, for better assurance and form, to call it sale."

(M. H. S. C. 3, I, 168)

We have no extant record of Roger Williams' reply to Olney's testimony, but we have the summary of it written in 1677 by William Harris, Williams' opponent:

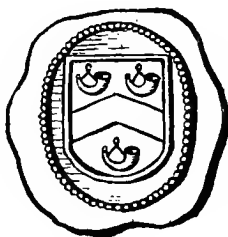
"But since he makes Oath that whereas we had Two Witnesses that he went to Toskaunk with us and said the Meadows were ours, it being so long since he did not remember it, nor doubt the Truth of what they said but said (when he then makes Oath) that he spoke his Hopes, It was ours by the great Favour he had with the Great Sachems, considering he can affirm his Hopes is a Property (to Say) the Meadows were ours (upon his Hopes) at Toskaunk when in Friendship with us how much rather may he in Friendship with others and in great Enmity to Me even to Death of Me, but that God prevented him swear or dispute in his Oath for Warwick men that the same Meadows are not ours, but theirs upon his Hopes or how shall We know when he swears hope or certainty.—" (Foster Papers 2, 34., R. I. H. S. Q. 1, 206) That Roger Williams' "hopes" might in this case be equivalent to a "certainty" is shown by his influence with the Sachems, as in the purchase of Prudence (Chap. VI), and from the fact that as he said: "I had the frequent promise of Miantenomy (my Kind freind) that It should not be Land that I should want about those Boundes mentioned, provided, that I satisfied the Indians there inhabiting." (Chap. IV).

Harris also wrote: "we Answer, Roger williams poseseth land, & medowes: by our grant from the former Titull beyond Mashapaug, therfore, his possesione Contradicte his expresione zly we have two Testamoines to prove tht Roger Williams went with some of us to Toskaonke which is 3 miles above mashapaug and there openly declared the medowes at Toskaonke to be oures upone the foresayd grante" (P. T. P. 18045)

Among those who came in 1639 were Nicholas Power and William Field, for on "20th of the 1st mon: kalled March & in the yeare (so called) 1639" Thomas James of Providence sold to William Field of Providence his lands, rights and privileges in Providence, and apparently moved away to Quinipiucke. The agreement was witnessed by Roger Williams and Nicholas Power. (Field Papers 3. R. I. H. S.)

From the deed of William Harris dated 24-6-(1640) it appears that land on the Pawtuxet River was laid out in 1639, "the Last yeare", to James, Harris, Carpenter, Olney and William Field. (P. R. I, 79)

Under the date of 4 June 1639 in the Massachusetts Bay Colony Records we find "Daniell Abbot is departed to New providence" (I, 256). From this it would appear that the Abbots moved to Providence before 4 June 1639.



Seal used by William Coddington

XIII

THE "COMBINATION" OF 1640

WITH the arrival of more settlers in 1639 and 1640, the transaction of all business at a general town meeting became cumbersome and ineffectual. Moreover many differences had arisen which the large assemblage of a general town meeting found itself unable to settle. On this account the enfranchised voters, styling themselves variously "masters of families", or "inhabitants of Providence", chose four arbitrators to whose decision in the various existing differences, the inhabitants of Providence agreed to submit. These arbitrators were Robert Coles, Chad Browne, William Harris and John Warner.

On 27 July 1640 these arbitrators presented their decisions to the town in a report or body of laws called "The Combination." The original document, called The Combination, has been lost, but on 28 March 1662 a copy was made by Thomas Olney, Jr. Town Clerk, which is as follows;

"A True Coppie of That which is called The Combination: (As Followeth:) as it standeth upon Record in or Towne Booke

providence this 27th of the 5th Month in the Yeare so called 1640

Wee Robert Coles: Chad Browne: William Harris: and John Warner: being Freely chosen by the consent of our loving Freindes, and Neighbours the inhabetance of this Towne of providence: having many differances amongst us: They being Freely willing and also bound themselves to stand to our Arbetration in all differences amongst us: to

rest contented in our determination: Being so betrusted: wee have seriously and carefully inedavoured to waye and consider all those differences: being desirous to bring them to unitye and peace: Although our abillities are farr short in the due Examination of such weightye thinges: yet so farr as wee cann conceive laieing all things together: wee have gon the fairest and Equallest way to produce or peace:

Agreed i Wee have with one consent agreed: that in the parting those prticular proprietyes: which som of our freindes and Neighbours have in pautuxett: from the Gennerrall Comon of or Towne of providence, to runn upon a straight line from a fresh spring: being in the gully: at the head of the Coave running in by the poynt of Land called Saxeffrax: unto the Towne of Mashapauge to an Oake Tree standing neere unto the corne Feild: being at this tyme the nearest corne Feild unto pautuxett: The oake Tree having Fowre markes with an Axe: tell some other land marke bee sett for a certaine boundes

Also wee agree that if any Meadow ground: lieing and ajoyneing to that Meadow: that Borders upon the River of pautuxett: com within the aforesaide Line which will not com within a straight Line from Longe Coave to the marked Tree: Then for that meadow to belonge to pautuxet And so beyond the Towne of Mashapauge from the oake Tree betweene the two fresh Rivers [of] pautuxett: and wanasquatuckett: of ann Even distance —

Agre: 2: Wee have with one consent agreed that for the desposing of those Landes tht shall be desposed: belonging to this Towne of providence: to be in the hole inhabetance By the choyce of 5 men for Generall disposall, to be Betrusted: with desposall of Landes: and also of the Towne Stock: and all Gennerall things: And not to receive in: 6: dais: in any as Townes men, But first to give the inhabetance notice: to consider if any have just cause to show against the receiveing of him: as you can apprehend:

And to receive none: but such as subscribe to this or determination: Also wee agree tht if any of or Neighbours doe aprehend himselfe wronged: by these: or any of these: five desposers: tht at the Gennerall Towne meeting hee may have a Triall:

Also wee agree for the Towne to chuse besides the other five men: one more to Keepe Recordes of all thinges belonging to the Towne and Lieing in the Comon:, we agree As formerly hath benn the libertyes of the Towne: so Still to hold forth Libertye of Conscience —:

Agre: 3: That after many considerations, And consulltations of or owne state and also of states abroad in way of Government: wee aprehend no way so sutable to or condition as Government by way of Arbetration: But if men Agree themselves by Arbetration: no State wee Know of disalowes that, neither doe wee: But if men Refuse that which is but comon humanetye betweene man, and man: then to compell such unreasonable persons to a Reasonable way: wee agree that the five desposers shall have power to compell him Either to chuse Two men himselfe: or if hee Refuse: for them to chuse Two men to Arbtrate his cause: And if these fowre men chosen by each partye Two: doe End the cause: then to see theire detirmination performed: And the faultive to pay the Arbetrators for theire tyme spent in it: But if these fowre men doe not End it: then for the five desposers to chuse Three men to put an End to it: And for the certaintye hereof: wee agree the Major part of the five desposers to chuse the Three men: And the Major part of the Three men to End the cause: having power from the five desposers: by A noate under theire hand to performe it: And the faultive not Agreeing in the first to pay the charge of the Last: And for the Arbetrators to Follow no employment tell the cause be Ended: without consent of the whole: that have to doe with the Cause,

Instans In the first Arbetration: the ofender may offer

Reasonable tearmes of peace: and the ofender may Exact upon him and refuse, and trouble men beyond reasonable satisfaction so for the Last Arbetrators to judge where the fault was in not agreeing in the first: to pay the charge of the Last —

Agre: 4: That if any person damnifie any man Either in Goodes or Good name: and the person ofended follow not the cause upon the ofender that if any person give notice to the five desposers; they shall call the partye delinquent to Answer by Arbetration:

Instance Thus if any person abuse another in person or Goodes, may be for peace sake a man will at presant put it up, and it may so bee Resolve to Revenge: Therefore for the peace of the State, the desposers are to looke to it in the first place.

Agre 5 For all the whole inhabetance to combind orselves to assist any man in the pursuite of any partye delinquent with all or best Endeavours to atach him: But if any man Raise a Hubbub and there be not just cause then for the partye that Raised the Hubbub to satisfie men for their tymes lost in it;

Agre 6 That if any man have diference with any of the Five desposers: which cannot be deffered tell Gennerall meetting of the Towne: hee may have the clarke call the Towne together at his ocationed tyme for a Triall —

Instance It may bee a man may be to depart the Land: or to a farr part of the Land: or his Estate may ly upon a speedy Triall: or the like case may fall out —

Agre 7 That the Towne by the Five men shall give Every may A deede of All his Landes lieing within the boundes of the plantation to hold it by for after ages:

Agre 8 That the Five desposers shall from the date hereof meete Every month day upon Gennerall thinges: and at the quarter day to yeld to a new choyse and give up their old accountes —

Agre 9 That the Clarke shall call the Five desposers together at the month day: and the Gennerall Towne together Every quarter to meete upon gennerall ocations from the date hereof —

[A]gre 10 That the Clarke is to Receive for Every cause that comes to the Towne for a Triall 4d, And for makeing Each mans deede 12d: and to give up the Booke to the Towne at the yeares End and yeeld to A new choyce:

Agre ii That all actes of desposall on both sides to stand since the difference —

Agre 12 That Every man that hath not paid in his purchase money for this plantation, shall make up his 10s to be 30s Equall with the first purchasers: And for all that are Received Townes men hereafter to pay the like sum of money to a Towne stock

These being those things which wee have Gennerally Concluded on for or peace wee desiring or Loving Freindes to receive as or absolutee determination: Laieing or selves downe as subjects to it Wittnesse or handes

Joane Tiler	Chad Browne	John Warner
×	Robt. Coles	John × Feild
marke	William Harris	William Arnold
Jane × Seare	John Throckmorton	William Feild
Christophar	Stukley Westcott	Edward Cope
Thanke	Benedict Arnold	Edward × manton
Will × iam	William Carpenter	marke
Haukins	Richard Scott	William man
Copied this 28 day	Thomas Harris	Nicolas Power
of March 1662 by	Frances × Weekes	William × Renalls
me Tho:	marke	marke
Olney	Thomas × Angells	Thomas Olney
junior Towne	marke	Richard × Water-
Clarke	Adam × Goodings	man
Robert Williams	marke	William Wickenden

Mathew Waller	William X Bur-	Edward Heart
Grigorey Dexter	rowes marke	Hugh Bewett
	Roger Williams	
	Robert West X his	
	marke	
	Joshua Winsor	
	Thomas X hopkins	
	his marke	

(P. T. P. 02)

This "Combination" is also recorded on page 124 of volume I of the Suffolk Deeds, Boston. The reason for the recording of it there, was the submission of the Pawtuxet men to Massachusetts Bay.

The first matter that "The Combination" settled was the division between Providence and Pawtuxet, which had not been defined in the deed or agreement of 8 October 1638. The next matter was to establish a more pliable and practical form of government, for it was found that in a large meeting, proceedings would be so long drawn out, that practically no results could be obtained. Therefore it was decided that the general affairs of the town should be managed by a board of five disposers, who were somewhat analogous to the present day Selectmen of the Massachusetts towns. In regard to civil suits and differences between individuals, a judicial system consisting of arbitrators was established. The decisions of the arbitrators were to be final, and were to be enforced by the townsmen as a whole. Appeals from the disposers could be made to the general town meeting, thus in the last analysis leaving the executive and legislative power in the hands of the townsmen, and the legal decisions in the hands of the arbitrators, who were in reality a jury, thus establishing jury trial for all cases both criminal and civil.

The office of Town Clerk was established and its duties

specified. The disposers were to meet once a month, and a general town meeting was to be held once in three months. Deeds of their land were to be given to each man; and Liberty of Conscience, that is religious toleration, was confirmed.

That this document went into immediate effect without the formality of receiving the signatures of the inhabitants would appear from its introduction, wherein are the following words: "They being Freely willing and also bound themselves to stand to our Arbetracion in all differences amongst us: to rest contented in our determination . . .". "They" refers to "the inhabetance of this Towne of providence."

With the exception of seven, all the men of whom we have record as residing in Providence before this date signed this Combination. The seven who did not sign it were Smith, James, Greene, Weston, Richards, Abbott, and Holliman. Smith's non-franchisement we have discussed at length (Chap. XI). James had sold his property in Providence 20 March 1640 (Chap. XII), and presumably moved away. Holliman had moved to Portsmouth before 26 May 1640, (Ports. Rec. 20), and is mentioned as there in the records of a meeting held the 4th of the [8th, October] 1640 (p. 22), hence the absence of his name from "The Combination" at Providence.

Light is thrown upon the reason for the absence of Richards' name from the Combination of 1640, by Town Paper 0293, which is as follows:

"2-bill. To the towne of providence Assembled this 4th of Feb: 1679/80 Desireing answer unto these following queries.

First. Whether Each inhabitant who was by you formerly possessed with home shares of Land in the Ancientest Row of house Lotts in this Towne of providence weare not alsoe Equeall proprietors elsewhere with you in the sayd Towne-

shippe there of, yea or nay. If not, I pray what is the difference

2ly. Whether George Rickardes (deceased) formerly inhabiting in this Towne aboute the space of Twenty yeares, were by you Leaguallly possessed of his house Lott, or home share (to be therein) of Eaqueall propriety with you, yea or nay.

3ly. Whether then if you cannot deny but the sd Rickardes were Lawfully possessed of just Right & interest in sd Lott he Enjoyed, whether he was of Age to dispose of it, yea or nay.

4ly. Whether then if the sd Rickardes was of Age to dispose of his sd Lott &c Whether a bargaine by him Contracted, be Leaguall yea or nay.

5ly. Whether then if it should be proved tht the sd Contract were Leaguell whether then you can Answer it before god or man to disanull it, yea or nay.

6ly. Whether then (in case) it should be yor pleasures to make voyd the sd former Contracts of the deceased, under preteect of the doeing of justice to the fatherless, Whether pretended it wear not as great a peice of injustice & partiality for to take away (by force from one orphan to give it to another, as to Leave the other justice undone,) yea or nay.

DAN: ABBOTT". (P. T. P. 0293)

Weston later (Chap. XV) refused to recognize the powers of the men appointed in accordance with this "Combination", and both Weston and Greene were unwilling to submit to their decision. (see Chap. XV)

The words "Wee have with one consent agreed" would seem to refer to the four arbitrators and not to the inhabitants as a whole. But even if that phrase is taken to refer to the inhabitants, it will be seen that it refers only to those who should sign, and that those who refuse to sign might

disfranchise themselves, but could not invalidate the "Combination", which had been accepted in advance by a majority vote of the enfranchised inhabitants, which at the time of that vote, was all that was required to enact a law.

Although many or all of the then inhabitants may have signed it at this time, it is certain that other names were added later presumably as the new-comers arrived. Gregory Dexter, whose name appears among the signatures, did not leave England until 1643 or 1644, and Jane Seare apparently came in 1642. (Chap. XIV)

The placing of one's signature to this document was simply acknowledging one's obedience to it, as the last line states, "Laieing or selves downe as subjects to it Wittnesse or handes". The neglecting or refusing to sign it, had no bearing on the validity or legality of the document. Refusing to sign it simply meant a refusal to recognize it, and incidentally a refusal to recognize law and order.

The appearance of the names of women, Joane Tiler, and Jane Seare, show that the signing was an act determining the status of the individual, not an act determining the validity of the document, for if the signature is considered as a vote on the question, then the signatures of the women would signify the existence of woman's suffrage.

Inasmuch as the signatures of all the inhabitants were not necessary to the document itself, there is no reason to assume that because some do not appear there, Olney may have omitted to copy them, a supposition suggested by Staples (p. 44).

That "The Combination" went into effect, and became in a sense the constitution of the town is shown by the fact that "five disposers" (Roger Williams deed 29 Jan. 1667 and Arnold's Letter 25 May 1641), and "arbitrators" (P. T. P. 016) were appointed and acted under the authority of it. William Arnold was one of the five disposers in May 1641. (Chap. XV)

It would seem as though this "arbitration plan" for the settling of legal differences must have in general proved successful and satisfactory at Providence, for if it proved a failure, it is scarcely likely that it would have been adopted by the Shawomet settlers as Gorton relates (Gorton 34), for the Shawomet men were well acquainted with the affairs at Providence.

In regard to the signatures on The Combination, if we assume that they were arranged on the original as they are on Thomas Olney's copy, and if we assume that those persons who were then (27-5-1640) residing in Providence signed it at that time in an orderly way one below the other; it might thence be inferred that all the names in the second column and all the names in the third column including and preceding that of William Wickenden, were the names of those who were then (27-5-1640) residing in Providence; and that some if not all of the names following the aforesaid names and also the names in the first column and margin, were the names of those who subsequently arrived or came of age. Apparently the second and third columns were originally the first and second respectively, and that later names were added in the narrow space at the left of the present second column, thus forming a third column, and subsequently the names of Robert Williams, Mathew Waller and Grigorey Dexter were added in the margin.

The fact that the second column begins with the names of three of the arbitrators, and that the third column begins with the name of the fourth arbitrator seems in a sense to corroborate this view.

On this assumption it would appear that Adam Goodings, William Burrowes, Robert West, William Field, Edward Manton, William Man, and Nicholas Power came to Providence before 27 July 1640, and that the others, Mathew Waller, Edward Heart, Hugh Bewitt, Thomas Hopkins, Grigorey Dexter, John Lippitt, Joane Tiler, Jane Seare,

Christopher [Un]thank, William Hawkins, and Robert Williams, probably arrived at or at least signed subsequently to this date.

In the second set Thomas Hopkins probably came as a boy with the Arnolds and signed upon coming of age. Bewitt was not banished from Massachusetts Bay until the following December (1640), Joan Seare was granted land in Providence in 1642, and Gregory Dexter printed Roger Williams' "Key into the Language of America" in London in 1643. William Field bought land in March 1639/40 and Nicholas Power witnessed the deed. Both Field and Power are in the first set.



Seal ascribed to Gregory Dexter

XIV

TOWN OF PROVIDENCE

[1640-1644]

“**B**E it knowne unto all men before whome these presents may com before, that I Thomas Olney of prvidence in consideracon of 5 lb already paid unto me doe and have sould unto will field of prvidence all my share of medow lying in on of the medows pautuxit bounded in wth the hill on the on side and a share of medow lately in the hands of Thomas James on the other side and is now in the hands of the said will feild being the medow that in the generall was first devided and fell to me the said Thomas Olney in wittness wherof I have set my hnd this 9th day of 9th month 1640 By me Thomas Olney.” (Field Papers 4, R. I. H. S.)

On 29 of 6th (August) 1640 William Harris deeded certain lands at Pawtuxet to William Arnold. (P. R. 1, 79)

At the session of the General Court of Massachusetts Bay held 1 December 1640 Hugh Bewitt was banished. The record reads:

“the Jury found Hugh Buets to bee guilty of heresy, & that his person, & errors are dangeros for infection of others.

It was ordered that the said Hugh Buet should bee gone out of or jurisdiction by the 24th prsent upon paine of death, & not to returne upon paine of being hanged.” (M. C. R. 1, 295) Bewitt moved to Providence and signed The Combination.

Sometime in the winter of 1640-1641 Gorton and his followers moved from Aquidneck to Providence. Their arrival is discussed at length in the next chapter.

At a town meeting 29 March 1641 the following resolution was passed:

"The 29th of the i moneth 1641

It was agreed upon that Every man may have his home share Goe unto the East side of the swomp against the higher End of the Lot Acording As it was first Agreed."

The original record has long since disappeared and the above is from a copy made by John Smith, who was town clerk from 1672 to 1676. (Mss. Harris *vs.* Williams. Rider Coll. Brown University.)

On 14 April 1641 William Arnold obtained from the Town of Providence a deed or rather a confirmation of his land holdings in the town. This was probably a result of "Agre 7" of The Combination which reads "That the Towne by the Five men shall give every man A deede of All his Landes lieing within the boundes of the plantation to hold it by for after ages:". It is probable that deeds were given to many of the inhabitants, similar to the deed to Arnold. This Arnold deed was not recorded on the Town books until 27 July 1659 (P. R. 1, 81) soon after Arnold's submission to Providence.

Gorton and his followers caused much trouble in Providence during 1641, a considerable riot occurring on November 15. (See Chap. XV)

On page 129 of volume 3A of the Providence Records is a deed from William Arnold of Pawtuxit to Arthour Fenner of providence, dated 13 of the 11 month 164[-.] The unit the year date is lacking; but from the fact that this deed conveys "the Land that Lieth at or upon the Necke or point that is neare unto the place called what cheere" (P. R. 3A, 129), and that this land is apparently that retained in the deed of 11th of 11th 1642, when Arnold sold all his land in

Providence, excepting certain parcels among which he names "also except[ing] his 6 acres lying over against the point called watchamocket" (P. R. 2, 8); it would appear that the deed to Fenner must be after 11 January 1642/3. The deed to Fenner is witnessed by Nicholas Power and Robert West. Nicholas Power was one of the "Gortonoges", or followers of Gorton, and went to Shawomet with Gorton and was there persecuted by Massachusetts Bay at the instigation of Arnold. It would seem very unlikely then that after the attack on Shawomet in October 1643, that Nicholas Power would be on friendly enough terms with Arnold to witness his deed, until after 1650. But the deed was dated 164-, hence it would follow as very probable that the deed was dated 13 January 1642/3, two days after the deed to Olney in which Arnold reserved this particular parcel of land. If this is correct this would place Arthur Fenner's arrival at Providence before 13 January 1642/3. This would seem quite likely, too, for we find that William Fenner's name appears as fifth in the agreement of 1645. The unsubstantiated tradition that Arthur Fenner served in Cromwell's Army is scarcely of enough weight to be considered as an objection to this theory in regard to the date of the deed.

On 1 March 1641/2 during the governorship of William Bradford, the following item was recorded at Plymouth:

"A quere. The plantacon of Prvidence haveing in it many honest & peacable people, wch groane under the want of govrment and the ryotts and disorders falling out thereupon, the place being reputed wthin the govrment of Plym, least worse thinges may fall out to the further and greater trouble of the colony, or honest people there, being overpressed by vyolent and turbulent prsons should submitt or subject the place to another govrment, we desire that a seasonable consideracon may be had thereof, for prvention of future mischeefs, if the place be wthin this goverment, as it is genally reputed." (P. C. R. 2, 46)

Most of the records of this period have been lost, but the record of the meeting held 27 July 1642 has been preserved, and is as follows:

"27 July 1642 This day it was agreed that Thomas Ollnea shall have The parsell of land Containing 6 Acors of land neer the place Called bayleas Coave being without the line The sayd To ollnea shall fence the aforesayd land with a suffisyente fence and maintaine the same for ever or else he shall not recovar any satisfacione for any damage done by Catle upone the aforesayd land

It is allsoe agreed the same day that any mane upone the like ocatione shall have the like previledge That is If any man will lay downe his 6 acors one the neck he may have 6 acors elcwhere provided he or they and theyre hayers maintaine a suffisyent fenc for ever." (P. R. 2, 1)

"Providence the 27th July 1642. We testefy under our hands in the presence of the whole town, who have betruisted us to this end, that Jane Sear hath paid her purchase money which is 30s. Witness our hands

WILLIAM HARRIS
WILLIAM CARPENTER
WILLIAM FIELD"

A note by Moses Brown adds "in their own Handwritings the certificate written by W. Harris. Memorandum found in a small Book containing sundry memoranda left with Moses Brown by William Reynolds" (Mss. Papers concerning Providence, R. I. H. S.)

This item, which is not found in the town records which have been preserved, shows that William Harris, William Carpenter and William Field were "disposers" in 1642.

On 11 of the 11 mo [January] 1642-[3] William Arnold deeded with certain exceptions all his lands in the Towne of Providence to Thomas Olney. He also in a memorandum mentions certain land previously deeded to Benedict Arnold.

The deed was witnessed by William Harris, Benedict Arnold, Thomas Angell and James Ashton, (P. R. 1, 50) and the transfer was also recorded under the same date (P. R. 2, 8).

During 1642 and the early part of 1643, there had been considerable unrest among the Indians and many of the English feared a general Indian uprising. As a result, the Colonies of Massachusetts Bay, Connecticut and New Haven concluded an alliance, and formed on 19 May 1643 a confederation known as the United Colonies of New England. Later Plymouth also joined this confederation.

Without records to the contrary, we may safely assume that the affairs at Providence went on in an orderly way, after the departure of the Gortonoges (Chap. XV), and the defection of the Pawtuxet men (Chap. XVI). The absence of definite charges of disorderliness against Providence during this period, in the chronicles of her enemies, the Massachusetts writers, is strong evidence of the quiet existing there, for these writers would gladly have enlarged upon any incident of disorder.

The record of a meeting held at Providence 20 May 1643 is as follows:

"the 20 of May 1643 it was agreed by the generall th[at] Matthew wesen shall have that hom sha[re] of ground which lieth betwen Robert nash and John lippet allso that hee shall have thre akers of madoe ground whare hee think it moste convenent which is not alrady laid out but if the said matthew wasen be absant from the toun above eighteen monthes leving nither wife nor child heare the afor saide land shall fall in to the townes hand again." (P. R. 2, 3)

We have the following record of a meeting held at Providence 27 July 1643:

"The 27th of the 5 month 1643 it was granted by the generall that william man shall laye down 5 an twenty Acors of ground which was part of his threcore Acors lot

and to take up 5 an twenty Acors for it on the south sid of long cove to Chang with nickolas poure for 5 an twentey Acors of his lying on the south sied of winosquatuket rever as hee dide desire" (P. R. 2, 1)

and the fragment of the record of a meeting held 24 October 1643:

"The 24th of the 8th month 1643

At a meeting of the plantation it was agreed []
 granted and are Received inhabitantes of []
 lotes and their pt in the Comon fence []
 day of Aprill next or else forfeite th[]
 the plantation and likewise to Remove the []
 Inhabite there by this time twelve mon[]
 lotes againe in to the handes of the plant[]
 alowing them for the nessesary imp[]
 descresstiones of all thinke meete []"

(P. T. P. 04)

Apart from the humdrum affairs of daily life, the inhabitants of Providence were in 1643 greatly interested in and excited over four events of extraordinary political importance. These were first the voyage of Williams to England to obtain a patent; secondly the formation of the Confederacy of the United Colonies of New England in May; thirdly the war between the Narragansetts and the Mohegans which resulted in the murder of Miantonomi under the supervision of the Massachusetts Bay authorities in September, and fourthly the armed attack made by Massachusetts Bay upon the newly formed settlement at Shawomet.

The records of the affairs at Providence during the early part of 1644 are confined to a few land records.

20 of 3 [May] 1644 Daniel Abbott sold upland to Robert Morris. (P. R. 2, 3)

2 of 4 [June] 1644 Adam Goodwin sold land to Robert Morris. (P. R. 2, 9)

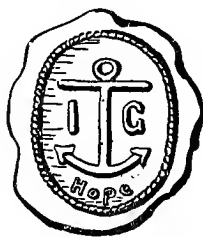
And 17 of 4 [June] 1644 Robert Morris sold meadow land to William Man. (P. R. 2, 4)

The calm and order of the first four years of the settlement, which was dispelled by the arrival of Gorton in 1640, seems to have returned with his removal in 1642, and to have continued for several years.

In the spring of 1644 Providence was thrilled and excited by the voluntary submission of the Narragansett Sachems to King Charles in a written document signed by Pessicus, Canonicus and Mixan 19 April 1644. This was obtained by Samuell Gorton and taken to England with him the next year.

This act of submission was followed on 24 May 1644 by a letter from Pessicus and Canonicus to the Massachusetts Bay authorities announcing their submission to King Charles.

On 25 of the 7th [September] 1644 John Greene of Occupasuatuxett deeded land at Providence and at Pawtuxet to his son John Greene of Providence. (P. R. 2, 33)



Seal of John Greene Senior

THE GORTONOGES

SOMETIME in 1640, probably in the autumn or winter, for Winslow says "in a sharpe season", Samuel Gorton, after having been banished from Plymouth and from Aquidneck, arrived with some of his followers at Providence.

In a letter dated "Providence 8. 1st. 1640", and hence 8 March 1640/1 Roger Williams wrote:

"Master Gorton having foully abused high and low at Aquednick, is now bewitching and bemadding poore Providence, both with his uncleane and foule censures of all the Ministers of this Country, (for which my self have in Christs name withstood him), and also denying all visible and externall Ordinances in depth of Familisme, against which I have a little disputed and written, and shall (the most High assisting) to death: As Paul said of Asia, I of Providence (almost) All suck in his poyson, as at first they did at Aquednick. Some few and my selfe withstand his Inhabitation, and Towne-priviledges, without confession and reformation of his uncivill and inhumane practises at Portsmouth: Yet the tyde is too strong against us, and I feare (if the framer of Hearts helpe not) it will force mee to little Patience a little Isle next to your Prudence." (Winslow 55, Deane 31)

In "Hypocrisie Unmasked" (1646) Edward Winslow wrote (p. 54) in regard to Gorton:

"In the next place take notice good Reader, that when hee went from hence well whipt, as before, and entred upon his banishment, the place hee went to (in a sharpe season) was a Town called Providence, where Mr. Roger Williams,

ſ divers others lived, who in regard of the season, entertained them with much humane curtesie, but the Gortonians answered all like Æsops snake, as thou maist read by the severall Letters of the chief Inhabitants of that place . . .”

Gorton and his followers applied to be admitted townsmen of Providence, and were refused some time before 25 May 1641, as is shown by the following letter of William Arnold, then one of the Disposers:

“Providence the 25. of the 3. month, 1641.

To the rest of the five Men appointed to manage the affaires of our Towne aforesaid, These are further to give you to understand; Viz. That

I Doe not onely approve of what my neighbours before me have written and directed their Reasons to a serious consideration with us, concerning Samuel Gorton and his Company: but this much I say also, that it is evident and may easily bee proved, that the said Samuel Gorton nor his Company are not fit persons to bee received in, and made members of such a body, in so weake a state as our Town is in at present.

My Reasons are, Viz.

First, Samuel Gorton having shewed himselfe a railing and turbulent person, not onely in and against those states of Government from whence hee came, as is to bee proved; but also here in this Towne since hee have sojourned here; Witnesse his proud challenge, and his upbraiding accusations in his vilifying and opprobrious terms of, and against one of our Combination most wrathfully and shamelessly reviling him, and disturbing of him, and meddling with him, who was imployed and busied in other private occasions, having no just cause so to revile and abuse him, saying also to him (and that of another state) in a base manner, they were like swine that held out their Nose to suck his blood,

and that now hee and the rest of his Company would goe and wallow in it also; which are indeed words unsufferable; and also despitefully calling him Boy, as though hee would have challenged the field of him, in such an inhumane behaviour as becomes not a man that should bee thought to be fit by any reasonable men to be received into such a poor weak state as we are in at present.

Secondly, another of his Company, one who is much in esteem with him, who openly in a scornfull and deriding manner, seeing one of the five men that was chosen by the Towne, and betrusted in the Towne affaires, comming towards him in the street, hee asked of one that stood by him, who that was; the other answered him, it was one of the five men appointed for managing of our Towne affaires, or the like: Yea, said hee, Hee lookes like one of the five, which words import not onely a scorning and deriding of his person of whom then hee spake, but also a despising and scorning of our Civill State, as it were trampling it under foot, as they had done by other States before they came hither, who were of greater strength then wee are; for which cause I cannot see such persons to bee fit to bee received into such a State as our Towne is.

Thirdly, I cannot finde these men to bee reasonable men in their suite unto the Towne, to be received in as Townsmen, seeing they have already had a plaine denyall of their request, and that by the consent of the major part of the Towne, or very neare, &c. and are yet unanswerable; and also that they seeing that their comming to our Towne, hath brought the Towne into a hurry, almost the one halfe against the other, in which estate no Towne or City can well stand or subsist; which declareth plainly unto us, that their intent is not good, but that their abode so long here amongst us, is in hope to get the victory over one part of the Town, but specially of those that laid the first foundation of the place, and bought it even almost with the losse of their lives, and

their whole estates, and afterwards to trample them under their feet, as some of their words hold forth, or else to drive them out into the same condition, to seek out a new Providence, and to buy it with the like hardnesse as they first bought this place; these, and many other like reasons that may be shewed, declare that they are not fit persons to be received into our meane and weake State.

Fourthly, and seeing hee who is so well knowne to bee the ring-leader unto the breach of peace, that have been so notoriously evill to bee a trouble of Civill States where hee hath lived, that are of farre greater force then wee are of, specially that State who have their Commission and Authority from the Higher Powers; what may wee then expect if he could get himself in with, and amongst so many as wee see are daily ready to tread us under their feet, and his, whom he cals friends, &c. Surely, first a breach of our civill peace and next a ruine of all such as are not of his side, as their daily practise doth declare; Ergo, they are not fit persons to be received into our Towne, &c.

Object. If it bee objected, as some have blasphemously said, that wee are persecutors, and doe persecute the Saints, in not receiving of them into our Towne-fellowship, &c.

Answ. To this I answer, there cannot bee proved the least shew of any persecution of those persons, either by us, or by any other amongst us to our knowledge. For 1 they have quiet abode amongst us, none molesting or troubling of them, nor any thing they have. 2 It cannot bee proved but by their owne relation, the which hath been disproved; that they were sent out from those places from whence they came for Religion, neither are they medled with here for any such matter, but rather that they themselves in their bravery are more ready to meddle with others. 3 They themselves and others of their followers, have rather been troublers and persecutors of the Saints of God that lived here before they came, and doe but waite their opportunity

to make themselves manifest in that they intend; Ergo, it cannot bee truly said of any, that any persecution is offered by us unto them, if it could possibly be said of them that they are Saints.

Obj. But if it be further objected, that we doe not give them the liberty of men, neither doe wee afford them the bowells of mercy, to give them the meanes of livelihood amongst us, as some have said.

Answ. To this I say; 1 there is no State but in the first place will seeke to preserve its owne safety and peace. 2 Wee cannot give land to any person by vertue of our combination, except wee first receive them into our state of combination, the which wee cannot doe with them for our owne and others peace-sake, &c. 3 Whereas their necessity have been so much pleaded, it is not knowne that ever they sought to finde out a place where they might accommodate themselves, and live by themselves, with their friends, and such as will follow after them, where they may use their liberty to live without order or controule, and not to trouble us, that have taken the same course as wee have done for our safety and peace, which they doe not approve nor like of, but rather like beasts in the shape of men to doe what they shall thinke fit in their owne eyes, and will not bee governed by any State. And seeing they doe but here linger out the time in hope to get the day to make up their penny-worths in advantage upon us, we have just cause to heare the complaints of so many of our Neighbors that live in the Town orderly amongst us, and have brought in their complaints, with many reasons against them, and not to admit them, but answer them as unfit persons to bee received into our meane State, &c.

Now if these Reasons and much more which have been truly said of them, doe not satisfie you, and the rest of our neighbours, but that they must be received into our Towne-state, even unto our utter overthrow, &c. then according

to the order agreed upon by the Towne, I doe first offer my house and land within the liberty of the Towne unto the Towne to buy it of mee, or else I may, and shall take liberty to sell it to whom I may for mine advantage, &c.

WILLIAM ARNOLD." (Winslow 59, Deane 31.)

After arbitrators appointed in accordance with "The Combination" of 1640 had heard a case of debt or damage, and had decided it against Francis Weston, some of the townsmen attempted on 15 November 1641 to enforce the decisions of the arbitrators, as according to the existing law they were bound to do, and were openly opposed by Samuel Gorton and his followers, who sided with Weston. Thereupon a riot ensued resulting in some slight bloodshed. The townsmen continuing on, towards the corn-field where the cattle were kept, were obstructed by Weston, Holden and Greene, who were soon reinforced by Gorton and the rest of his followers. As a result the Gorton party kept possession of the cattle. Orderly government in Providence had received its first severe blow, for the success of the rioters was equivalent to a revolt.

In regard to these matters, Winslow wrote:

"From thence hee went to Roade-Island, where hee began to raise sedition, and to make a party against the Authority there; for which hee was apprehended and whipped, and so sent away. From thence (with some others whom hee had gathered to his part) hee removed to Providence, where Mr. Roger Williams then lived. Hee (with some others) opposed his sitting down there as an Inhabitant, onely in regard of his present distresse, they gave way for his abode for a time. But being once housed, hee soon drew so great a party to him, as it was beyond the power of Mr. Williams and his party to drive them out, or to rule them there; so as both parties came armed into the field each against other,

and had fought it out, had not Mr. Williams used meanes for pacification. Hereupon many of the chiefe of Providence sent messengers with a Letter to the Governour and Councill of the Massachusets, desiring aide against Gorton and his company; but they were answered, that not being within our Jurisdiction nor confederation we had no ground to interpose in their quarrells. Soone after some of those men tendred themselves and their lands to come under our Government, and were received." (Winslow 1)

And Winthrop wrote:

"Those of Providence, being all anabaptists, were divided in judgment; some were only against baptizing of infants; others denied all magistracy and churches, etc., of which Gorton, who had lately been whipped at Aquiday, as is before mentioned, was their instructor and captain. These, being too strong for the other party, provoked them by injuries, so as they came armed into the field, each against other, but Mr. Williams pacified them for the present. This occasioned the weaker party to write a letter, under all their hands, to our governour and magistrates, complaining of the wrongs they suffered, and desiring aid, or, if not that, counsel from us." (Winthrop 2, 69)

The letter is as follows: —

"Providence. This 17th. of November. Anno. 1641.

To the Honnoured Governour of Massachussett, Together with the Worshipfull Assistants. and our loving Neighbours there: Wee the Inhabitants of the Towne abovesd: haveing Fayre ocasion, Counted it meete and Necessary to give you true intilligence of the insolent and Riotous cariages of Samuell Gorton and his Company which came from the Iland of Acquednick: which continue still as sojournours Amongst us; Together With John Greene, and Frances Weston: Two which have this long time stood in Opositione against us, and against the fayrest, & most just, & honest. ways of Proceeding. in order and Govermt, that we could Rightly

and truely use, for the peaceable presservatione and quiet subsist[ence of our selves] and Families or any that should have Fayre Ocasion to goe out or com in amongst us: Alsoe sixe, or seaven of our Townsmen which wer in peacable Covenants with us which now by their Declamations do Cutt themselvs off frō us and joyntly under their hands have openly Proclaymed, to take party with the afforenamed companies, and soe intend for aught we can gather, to have noe maner of honest order or govermt, either over them or amongst them, as their writeings, words, and actions doe most plainly shew. It would be tedeous to relate, the Numberlesse Number of their ubrayding Taunts, asaults, and Threats, and violent Kinde of Cariadg dayly practised against all that either with care or Counsell seeke to prevent or withstand their Lewd licentious Courses: Yett in breife to Comitt some few of them to yor moderat Judgmts least we our selves should bee deemed some-way Blinded in the occurences of things: Here is a true Coppy of their Writeinge inclosed which Frances Weston gave us the. 13th, of this Present moneth: they haveing alsoe sett up a Coppy of the same on a tree in the streete, insteede of satisfacione for Five-teene Pounds, which by wa[y] of arbitratione of Eight-men orderly chosen, and all causes and reasons that could bee found: Duly and Truly examined and Considered jointly together, and hee The Sayd Frances Weston, was found liable to pay, or make satisfacione in cattle or comodities: But on the. 15th, day of this Present moneth, when we went orderly, openly, & in warrantable way to Attach some of the sayd Frances Westons cattle, to Drive them to the Pownd, to make him if it wer Possible to make satisfacione, which Samuell Gorton and his Company Getting notice off Came and Quarelled with us in the street, and made a tumultuous Hubbub, and although for our Parts we had before-hand most Principally armed our selves with patience Peacable to suffer as much Injury as could Possibly bee borne to avoyd

all shedding of Blood. Yett som few drops of Blood wer shedd on either-side, and after the Tumult was partly apeased and that wee went on orderly into the Corne-field, to drive the said Cattle, The sayd Frances Weston, Came furiously running with a Flayell in his hand, and cryed out Help Srs help. Sirs, they ar going to steale my Cattle, and soe cont[inue]d cr[y]ing Till Randall Houlden, John Greene, and some others came running, and made a great outcry, and Halloeing, and crying. Theeves, Theeves; Stealing Cattle, Stealing Cattle, and soe the whole number of their desperat Company came Riotously running and soe with much striveing in driving. Hurried away the Cattle, and then presumptuously answerd they had made a Rescue, and that such should bee their pra^{ct}ice, if any men at any time, in any Case, attach any thing that is theirs, and fully to Relate the least part of their such like words and Actions, the time and Paper would scarce be profitably spent, neither neede we advise your Discretion, what is likely to be the sad events of these Disorders if their bloody Currents, be not either stoped or turned some other way, for it is playne to us that if men should continue to resist all maner of order and orderly answering one of another in different Causes they will suddenly Pra^{ct}ice not only cunningly to Detaine things one from another, but openly in Publik justly, or unjustly according to their owne wills disorderly take what they can com by. First pleading Necessity, or to mainetaine Wife and Family, but afterwards boldly to maintaine Licentious lust like Savage bruit beasts they will put no maner of Difference betwene Housses, Goods, Lands, Wives, Lives, Blood nor any thing will be pretious in their eyes: if it may therefore please you of Gentle courtesy and for the preservatione of Humanity and mankinde to Consider our Conditione and lend us a neighbourlike-helping hand and send us such assistance four Necessity urgis us to be troublesom unto you to help us to bring them to satisfaction, ād ease us

of our burden of them, at your Discretion, we shall evermore owne it as a deed of great charity, and take it very thankfully, and dilligently labour in the best meassure we can, and constantly practise to requite your loveing Kindnesse if you should have ocassione to comaund us, or any of us in any lawfull designe: And if it shall please you to send us any speedy answer we shall take it very kindly and be ready and willing to satisfie the Messengere and ever Remayne Your Lo: Neighbours and Respective Freinds.

WILLIAM FEILD
 WILLIAM HARRIS
 WILLIAM CARPENTER
 WILLIAM WICKENDEN
 WILLIAM X REYNOLDS
 THOMAS HARRIS
 THOMAS T HOPKINS
 (marke)
 HUGH BEWITT
 JOSUA WINSOR
 BENEDICT ARNOLD
 WILLIAM MAN
 WILLIAM W HUNKINGES
 ROBERT R WEST

(Mass. Archives 2, 20., Winslow 56, R. I. H. S. C. 2, 191)

Winthrop continued:

"We answered them that we could not levy any war etc. without a general court. For counsel we told them, that except they did submit themselves to some jurisdiction, either Plimouth or ours, we had no calling or warrant to interpose in their contentions, but if they were once subject to any, then they had a calling to protect them. After this answer we heard no more from them for a time." (2, 71)

XVI

THE SETTLEMENT AND DEFECTION OF PAWTUXET

[1638-1642]

WE do not know definitely when Pawtuxet was settled, but from the fact that in the warrant of 28 October 1642 the Pawtuxet men's interest there is described as "confirmed by four years possession", it might be inferred that Pawtuxet was settled in 1638. On the other hand this may refer to the transfer of the lands which was signed 8 October 1638.

The first land purchased on the south side of the Pawtuxet was apparently that purchased by Roger Williams from Socononoco previous to 1639. The deed was probably an oral one. However on 1 January 1638/9 Roger Williams deeded this land to Robert Coles as follows:

"Providence the 1st of the 11 moneth 1638 (so called.

I Roger Williams haveing purchased from Saukunnan-
ancajo Sachim of Pawtuxet all the meadowes from pawtuxet
unto the Long sandy point called Qunnimmacuck as also
an Inland meadow about a pond Called Quanquonisippaw
and haveing alsoe before divers witnesses English and Indians
received the Confirmation of Miantunnomo for himselfe
and Caunounicus of the aforesayd purchase upon Considera-
tion Receaved from Mr Robert Coles I the sayd Roger
Williams have sold unto Rober Cole all the meadow within
the cove called Paseonikqua It a Long meadow about a
pond westward from the said Cove called Quanquonisippaw
It the marsh at Naumaqut on the seaside called Wayish-

quawit In witness whereof I have hereunto set my hand
the day and yeare above written. ROGER WILLIAMS

In the presence of
us BENEDICT ARNOLD
STUKLY WESTCOT (Warwick Deeds, 1, 110)

Two years later 10 February 1640/1 Coles obtained from the Sachems Canonicus and Miantonomi a confirmation of this grant, which is as follows:

"Nanhigganset the 10th of the Last moneth so Called
1640.

I Caunonicus haveing receaved of Robert Coles by the hand of Roger Williams 5 fatham of wampam and I Miantannomii 10 fatham of wampam do Confirme the grant of Socannonawca of a parcell of ground on the side of pawtuxet and the feeding of the Indian fields for the winter time.

CAUNOUNICUS

SACHIM

MIANTANNOMI

In presence of
Roger Williams



Asotomuit to whom $\frac{1}{2}$ a fatham" (Warwick
Deeds 1, 110)

Judge George A. Brayton, (in R. I. H. T. 17, 101) apparently identified the above land with the meadow Outche-maumkanet. Mary, the widow of Robert Coles, confirmed the sale of Ochinamomunkanet (W. R. 1, 334), alias Ochinainonankanett (W. R. 1, 395).

"The First of the 3d. month 1641

Memorandum that I Aw-waqualum, Now Resident at Mashepaug neer Pawtuxett, In Naragansitt River: Have freely sold and assured, unto Benedict Arnold of Mooshaw-suck or providence within the bounds of Nanigansick River afore-said, all my land which I had lawfully Impropriated, and Planted, neer unto Pawtuckett falls, which lyeth neer the Towne of Providence afore-said, I acknowledging the same ground or old Fields which was mine, to be Confirmed to him and his forever, And also Confess that I am fully satisfied by him for the same haveing Recieved a peece of Cloth and a how of him as Our Bargaine was, for the said land before Witnesses —

Awaqualum his
Mow:meawossow



marke



his marke"

(R. I. C. R. I, 332)

"At Narhiganset this 23d of December in the yeare 1641
Memorandum that I Miantinomaah Cheife Chathim of Narhiganset It for and in Consideration of Eleaven Coates Seaven panns Long a peice and tenn Hatchets tenn Knives tenn Looking glasses ten Jewsharps tenn fishing hooks and tenn needles which is payd have graunted unto Benedict Arnold now Inhabitant of Mooshassuck or Providence a parcell of Land with the apurtenances thereof being and borderinge on the South or southest side of the fresh River that falls into the Sea at pawtuxet within the Bay of Nanhi-

gansit abovesd the foresayd parcell of Land beinge bounded with the fresh river aforesd one the north and northwestward side of it and the Farthest wading place upstreame in the sd River called Touskeounkenit bounding the sd Land on part of the southwest or west End of it and the woods or Land now in the tenior of mee Miantinomy aforesd bounding the sayd Land on the Southest south and southwest part of it and a peace of Land now in the occupation of Robert Coles bounding on the East End of it there being a Rock on the bank of the fresh river aforesd on the place on the said river called Manapshetoniashick which sayd rock parteth the Lands of Robert Coles and Bennediſt Arnold aforesayd by the sayd river side the sd demissed Land being a hundred large strides or paces broad from the rock aforesd towards the South or southwards upon a straight Line and the sd Lands to bee full so broad that is to say a hundred Larg Strides or paces broad in the narest part or place of it throughout from the one End of it to the other it being measured or paced from the top of the bank of the river aforesd upwards to the South or southeast ward upon a striaght Line on Leavell ground and where as any marsh Lyeth on the sd river Side such marsh so Lyeth or boundinge on the sd river Being before improved to any other person or persons I have the sd Land before expressed a hundred Larg strides or paces broad towards the south or southeastward from Every or any part of the sd marshes bordering on the sd river side all which sd Land before Expressed with the apurtenances now in the tenur use or occupation of the sayd Bennediſt Arnold his heires or Assignes to have and to hould all and singular the sd demissed premisses with the apurtenances as his and every of their owne true and Lawfull Inherrittance for Ever and alsoe to have all suffitiant both for Egress and regress to come and to goe to all and Every part of the sayd Land through any of the woods or Lands now in the tenur of mee the sd Miantinomy my heires or Asignes moreover I the sd Miantinomy

do by these presents bind my self my heires and asignes to permit and suffer the sayd Benedict Arnold his heires and asighnes from all peacably and quietly to posess and Injoy all the singular the demissed premisses with the apurtenances for Ever without Let or molestation and by these presents do bind my self my heires and asignes to free the sd Benedict Arnold his heires and asignes from all troubles or sutes that may arise by any other bargaines claimes or grants made or hereafter may arise be made for or about the sd demised premisses by any person or persons whatsoever for from or by mee the sd Miantinomy or my heires or asignes and further by these presents do Covenant and promisse for my heires or asignes that for any meadow or Upland now in the now in the tenure of mee of mee the sayd miantinomi my heires or asignes neere Adjoyninge to any part of the sd demissed premisses that such meadow or upland shall not bee disposed or impropriated by any other person or persons Except the sd Benedict Arnold his heires or Asignes shall first refuse to purchase the same further it shall bee Lawfull for the sayd Benedict Arnold his heires or Assignes to have the proper use of the sd fresh River always provided he permit the owners of the foresd marsh on the sd river side quietly to come fetch and cary away the graspe of the sd marsh always provided they goe not over the sd Land of Benedict Arnold aforesd with Cart plow or any other wayes to dammify him his heires or assignes further provided no house or houses bee Erected or set up on that side the river within the bounds or upon any Part of the Lands before Expressed Except the house or houses Erected in the name and for the proper use of the sd Benedict Arnold his heires or Assignes further provided the sayd Benedict Arnold do secure the Indians from Sustaning Loss or damage in their corne or otherwise that may insue by cattle that he shall there bring or cause to be brought and in witness of this my true and Lawfull grant Covenant and agreement I the sd Miontinomy

have here set my hand the day and yeare first above
written and at nanhiganset december 23d 1641.

Miontinomiah

W⁶

his marke
Signed and delivered
in the presence of us
William field
William Arnold.

(Warwick Deeds, 1, 104)

Harris in his Plea of 17 November 1677 states that Miantonomi deeded land to Benedict Arnold before 1643 (the date of Socononoco's subjection).

"One of the said Sachems Miantonomu granted Mr. Benedict Arnold some Land on the further side of Pawtuxet River (before his Father had got Pumham & Sarononoco to subject to the English) and all these Grants remain irrevocable, which were all since oures by both Sachems the Chiefest Connanicus, the eldest and the eldest Miantonomu." (Foster Papers 2, 20. R. I. H. S., R. I. H. S. Q. 1, 197)

During the winter of 1641/2, or perhaps in the late autumn of 1641, Samuel Gorton and his followers moved from Providence to Pawtuxet and settled on the land of Robert Coles. On 10 January 1641/2 Robert Coles deeded a tract of his land at Pawtuxet to Samuall Gorton (P. R. 3, 013), and it is very likely that this was after Gorton had settled there.

An old manuscript, perhaps written by Winslow or based on his writings, and printed by Deane, reads:

“So now there was one Robart Coles and John Greene who were Two of ye 13 purchisers of pautuxet lands; Robart Coles being a fauerit of gortons gaue him half of his ūdeuided lands at pautuxet, & John Greene one of his chiefe prossolightes gaue gorton half of his deuided lands at pautuxet. so by uertue of those gifts, gorton & many of his companey went & built houses at papaquinepaug in pautuxet purchis; & gorton & his companey perceued yt pautuxet mens deeds from myantenomy to bee weeke, thay bought patuxet lands againe ouer ye heades of those men that had dwelt there 3 or 4 year before, who had bought ye sayd lands of socannanoco ye true howner and sachim of pautuxet lands — but gorton & his companey who becoming as bad and insolent & trublent as him self, and so thay beeganne to warne William Arnold & William Carpenter that had dwelt there 4 year before thay came there, that thay should begone or else thay must be there tennants: & much other wiked & insolent behauior, insomuch that William Arnold and Carpenter were forced to subiect them selues to ye masachusetts: and Robart Coles who had giuen gorton half his vndeuided land at pautuxet, perceuid that hee was like to loose all, hee Joyned with William Arnold & William Carpenter & so subiected them selues and their lands to ye Gouernment of ye mashatuset together. but gorton & his company grewe more insollent & wicked then euer thay were, insomuch that those 3 men made there complaint & puttitioned the massatusets for help & sucker against them. where upon ye Gouvernor & asista[nts] of ye massachusetts sent a warrant vnto gorton & his companey in this manner as followeth:”

(Deane 35)

Then follows a copy of the warrant of 28 October 1642 which we will give later.

The Gorton settlement was at Paupauquinepaug, a little west of Pawtuxet, for Harris wrote concerning it “for they

of Warwick received as . . . of the Lands of Pawtuxet by our Title and began to build at Paupaquennipaug by virtue thereof and at the complaint of one of our Partners to the Jurisdiction of the Bay they sent a Note to affirm them of our four Years Possession." (Foster Papers 2, 38. R. I. H. S. Q. 1, 209)

William Arnold has often been accused of illegal actions, and cited as a strong opponent of law and order. His actions are, however, much better explained and much more consistent if we assume him to have been a strong supporter of legal proceedings and law and order. His support of Verin in the trial of 1638 was based upon the question of the true interpretation of the law, not on questioning the law itself. He claimed that the law or "covenant" applied only to men, presumably "heads of families", that is voters, and he strongly endeavored to maintain Verin's right to run his own family, as he pleased, upon whatever laws or rules, he, "the head of the family", should make, and insisted that town laws did not apply to any except the heads of families.

When we remember that Arnold himself was the head of a large family, we can readily imagine why he should try to increase the power of the "masters of families". Besides, his point of view was held by Winthrop and a majority of the English then in New England. His attachment to legal forms might easily be the reason for placing the original deed in his keeping.

He signed the law and order "Combination" of 1640, and on 25 May 1641 wrote a letter to the town opposing the enfranchisement of Gorton, as he feared that, if admitted, Gorton would overthrow orderly government. He was probably one of those who tried to maintain law and order in the riot of 15 November 1641, and probably favored the petition of 17 November 1641, for aid from Massachusetts in order to uphold the law, which petition was signed by his son and son-in-law.

With the refusal of aid from Massachusetts, and with the removal of the Gortonoges to Pawtuxet, where Arnold lived, he found himself confronted with a serious dilemma. The Gortonoges were already more powerful in numbers than the law and order party, which they openly opposed. Gorton had from his arrival in Providence continually gained followers. Arnold was justified in believing that Gorton and his followers would in a short time become enfranchised, and then with their majority vote could easily overrule, if not actually dispossess him, for he had openly been one of their strongest opponents. The present government at Providence was unable to give him aid, the future government would probably be openly opposed to him. Massachusetts Bay would only help him if he submitted to her. He probably came to his decision in December 1641. It was a matter of the preservation of his property. The enforcement of law and order could not then (1641) or in the near future be expected at Providence, and he had no reason to foresee that Gorton would soon move away, although this did occur within a year. So he decided to submit to Massachusetts Bay and thus insure the protection of his property. The act of submission of himself and Pawtuxet to Massachusetts Bay might be extra-legal or even illegal, but it would mean the maintenance of law and order at Pawtuxet and Arnold could see no legal way to that end. In other words he believed himself forced to illegal action to gain law and order. Roger Williams on 8 March 1640/1, even before the riot of 15 November, considered the situation at Providence to be rather dismal. (Chap. XV)

Arnold apparently thought that the deeds of his land, from Canonicus and Miantonomi and from Providence, would probably not be recognized by Massachusetts Bay, so accordingly on 30 January 1641/2 he obtained of Socononoco, Sachem of Pawtuxet, a deed of all the lands between the Pawtuxet, Pocasset, Woonasquatucket Rivers and the Bay.

This deed was to William Arnold, William Carpenter, his son-in-law, and Robert Coles, who seems by this time to have broken with the Gortonoges. It is as follows:

“Socononoco Sachem of Patuxset, for valueable consideration granted unto Wm Arnold, Robert Cole & William Carpenter all the lands Marshes medowes, Islands Rivers ponds lyeing betweene the great fresh or salt River called Patuxset River both above & below the fall, the River called Pachasett, & the river called Wanasquatuckett, & the great salt River that is betweene Providence & Patuxit, reserving far himselfe & his heires & assignes Free Egresse & Regresse to hunt & fish uppon any of the said Rivers & lands wch shall ly open unimproved. And No Indian Paths shalbe made besides the an[ci]ent paths wthout consent of Wm Arnold Robert Cole & William Carpenter of their heires. This was by an absolute deed date the 30. (11) 1641.

Witnessed uppon oath before
mr Nowell the 9 (8) 1645.

A Marke

by Benedi^ct Arnold.” (Suffolk Deeds 1, 63)

Although Arnold's action in submitting himself and his lands at Pawtuxet to Massachusetts Bay might be justified upon the grounds of necessity, yet his obtaining a deed from Socononoco of the very lands included in the previous Indian deed to Roger Williams, which land had been transferred by Williams to the settlers, can hardly be considered as an honorable act, for if the latter deed became recognized and enforced by Massachusetts Bay, Arnold and his two partners would succeed in depriving their former associates of a large part of their property.

In a conveyance from Robert Coles and William Carpenter to William Arnold, dated 8 May 1648 and relating to the land bounded by the Pocasset, the great fresh water River (Pawtuxet), Great salt River (The Bay), and the boundes of Providence; appears the following words:

"And allso all the third pte of all the land that hee with us bought of Soconanoca Sachem of pautuxet as in a deede baring date the 31 day of the Eleventh moneth 1642 doe manefestely appeare" (Warner Papers. 1, 2. R. I. H. S.). This probably refers to the deed from Socononoco to Arnold, Carpenter, and Cole, which is recorded in Suffolk Deeds (1, 66) and there dated 30 (11) 1641.

This deed of Socononoco covered virtually all the land south of the Woonasquatucket, which was included in the previous deed of Canonicus and Miantonomi to Roger Williams. Arnold's subsequent carelessness in regard to the "Towne Evidence" deed is easily explained by the fact that from 22 June 1653 to 1658 when he re-submitted himself to the authority of Providence, that earlier deed was of no value at all to him although its willful destruction or mutilation might add to the value of his later deed.

The next step was the submission of Cole, Carpenter and Arnold to Massachusetts Bay.

On 8 September 1642 the Records of the General Court of Massachusetts Bay have the following items:

"Willi: Arnold, Rob: Coale, Willi: Carpenter & Bened: Arnold, his Company upon their petition were takn under or government & protection.

Willi Arnold, Robert Coale, Benedict Arnold, & Willi: Carpenter is to see to keepe the peace in their Lands." (M. C. R. 2, 22)

In regard to this Winthrop wrote:

"At this court also, four of Providence, who could not consort with Gorton and that company, and therefore were continually injured and molested by them, came and offered themselves and their lands, etc., to us, and were accepted under our government and protection. This we did partly to rescue these men from unjust violence, and partly to draw in the rest in those parts, either under ourselves or Plimouth, who now lived under no government, but grew very offensive,

and the place was likely to be of use to us, especially if we should have occasion of sending out against any Indians of Naragansett and likewise for an outlet into the Naragansett Bay, and seeing it came without our seeking, and would be no charge to us we thought it not wisdom to let it slip". (Winthrop 2, 102)

Thus Winthrop naively discloses the territorial ambitions of the Colony of Massachusetts Bay.



Seal of Benedict Arnold

XVII

PAWTUXET AS A COLONY OF MASSACHUSETTS BAY

ON 22 June 1643 Socononoco and Pomham formally submitted their selves and lands to Massachusetts Bay, thus completing the chain necessary to make valid Arnold's new title to the Pawtuxet lands.

The record in regard to Socononoco is as follows:

"This writing is to testify that wee Pumham sachem of Shawomock &c & Sacononoco Sachem of Patuxet &c have, & by these presents do voluntarily; & without any constraint, or prswasion: but of our owne free motion put ourselves or subjects, lands, & estates under the govrmt & jurisdictiō of the Massachusetts to be govrned, & prtected by them according to their just lawes, & ordrs, so farr, as wee shalbee made capable of understanding them, & wee do promise for our selves, & all our subjects, & all our posterity to bee true, & faithfull to the said governmt, & ayding to the maintenance thereof to our best ability, & from time to time to give speedy notice of any conspiracy, attempt, or evill intension of any, wch wee shall know, or hear of against the same, & wee do promise to bee willing from time to time to bee instructed in the knowledge, & worship of god. in witnes whereof wee have hearunto put our hands this 22th of the 4th m^o. 1643:

The mrke
of Sacconoco



The marke
of Pumham



this was signed after clear interpretation of every particular by their owne interpreter Benedick Arnold in the

prsence of us whose names are subscribed, & many of the eldrs, & others.

JO: WINTHROPE, GOVNROR

THOM: DUDLEY

RICHRD BELLINGHAM

JOHN GLOVER

JOSEPH WELD

HUGH PRICHARD

HUMFREY ATHERTON

WILLI: ASPINWALL"

(M. C. R. 2, 46)

These Sachems were really vassals of Miantonomi, but submitted to the English, as Ousamaquin had done previously, in order to free themselves from the sovereignty of the Narragansetts. Winthrop in his Journal gives the version of the affair from the point of view of Pawtuxet and Massachusetts:

"Sacononoco and Pumham, two sachems near Providence, having under them between 2 and 300 men, finding themselves overborne by Miantunnomoh, the sachem of Narragansett, and Gorton and his company, who had so prevailed with Miantunnomoh, as he forced one of them to join with him in setting his hand or mark to a writing, whereby a part of his land was sold to Gorton and his company, for which Miantunnomoh received a price, but the other would not receive that which was for his part, alleging that he did not intend to sell his land, though through fear of Miantunnomoh he had put his mark to the writing, they came to our government, and by Benedict Arnold, their interpreter, did desire we would receive them under our government, and brought withal a small present of wampom, about ten fathom." (2, 144)

William Harris in his plea of 1677 states that the Pawtuxet men induced Socononoco to submit to Massachusetts:

"After which some of Pawtuxet pretended We had nothing for Pawtuxet, then they that said We had nothing

to shew pretended that the Narraganset Sachems were Tyrants and sold their mens Land — And got one Sorononoco to submit himself and Land to the English & then made a pretended Purchase of Sorononoco of that Land which they with us had paid for divided & held by the Narraganset sachems and summoned Me to appear at Boston to answer their Demand where I found, of the most, very good Justice, but most Especially of Mr Dudley then Governor whose ears could so try words (inspiritively) that he with out any witness told my adversary he doubted his Cause was nought, which my Adversary confessed so I have the Verdict and Judgment to produce to this Court & my true Title being found that Court would have sent up their Commissioners to have laid out my Land, which I durst not accept for several Reasons, this one, lest some then should as since some have accused Me of Petty Treason for [far]less Matters by their said pretended Law.” (Foster Papers 2, 29. R. I. H. S. Q. 1, 203)

and: “One of the said Sachems Miantonomu granted Mr. Benedict Arnold some Land on the further side of Pawtuxet River (before his Father had got Pumham & Sarononoco to subject to the English)” (Foster Papers 2, 20. R. I. H. S. Q. 1, 197)

The defection of the Pawtuxet men was the second blow at the Providence government, but it had in the end good results, for it caused the Gortonoges, as Gorton himself says, to move away from Providence. On 17 October 1643 William Arnold deeded to his son Benedict Arnold a parcel of land “neere the fall called Pautuxit.” (Photograph of original in Deeds 1, 1. R. I. H. S.)

While the Gortonoges were still living near Pawtuxet within the bounds of the Providence plantation, the following warrant already mentioned was sent to them:

“A true Copy of the first Warrant that was sent unto us from the Governor and Assistants of the Massachusets,

into the Nanhyganset Bay, before we planted upon that tract of land called Shaw-omet, situate upon the same Bay: The Warrant is here set down verbatim, and is still extant.

Massachusetts, To our Neighbours of Providence.

Whereas William Arnald of Pautuxet, and Robert Cole, and others, have lately put themselves and their families, lands and estates, under the protection and government of this Jurisdiction, and have since complained to us, that you have since (upon pretence of a late purchase from the Indians) gone about to deprive them of their lawfull interest confirmed by four years possession, and otherwise to molest them: We thought good therefore to write to you on their behalfe, to give you notice, that they and their lands, &c. being under our Jurisdiction, we are to maintain them in their lawfull rights. If therefore you have any just title to any thing they possesse, you may proceed against them in our Court, where you shall have equall justice: But if you shall proceed to any violence, you must not blame us, if we shall take a like course to right them.

JO. WINTHROP, Governor.

THO. DUDLEY,

RI. BELLINGHAM,

INCR. NOWELL.

The 28^o of the 8^o 1642. (Gorton 6)

In regard to this Gorton wrote (p. 6):

“This Warrant being delivered unto us by their new made officer William Arnald, in the name of the Massachusetts, we took into serious consideration, having former experience abundantly of their unkind and inhumane dealing with us, yea towards our wives and children, when our selves were sometimes in banishments, and sometimes in prison, and irons (by them) before. We thought it meet (for the preservation of our peace, together with that Compassion we had of our wives and little ones) to leave our houses, and the rest of our

labors, lying near unto those their pretended subjects (whom we saw maliciously bent) and to remove our selves and families further off, from the Massachusets, and such their coadjutors, being then amongst us: For we saw that they did not only endeavor to take away our livelyhood, but intended to take away our lives also, in case they could find a way to satisfie the Country in doing of such an act and execution: For we had never accusation brought in against us, but what rose from the Magistrates and the Ministers; for we walked so, as to do no man wrong, only justified the cause of our Religion, as we had learned and received the principles thereof before we went amongst them; as also the laws and government of this Kingdome of England unto which we ever willingly acknowledge our selves to be loyall subjects, and therefore could not suffer our selves to be intrenched upon by our fellow subjects, further then the laws of our King and State doth allow.”, and:

“But we removing our selves, as abovesaid, into another part of the Nanhyganset Bay, further from the Massachusets, and where none of the English, nor other Nations had any thing to do, but only Indians, the true natives, of whom we bought a parcell of land, called Shaw-omet (as is abovesaid) not only of Myantonomy, chiefe Sachim, or Prince of those parts of the Country; but also with the free consent of the inhabitants of the place.” (Gorton 9)

It would appear that the Gortonoges, removed from Pawtuxet in Providence to Shawomet in or about November 1642, for the “Answer”, which Gorton says “was made upon our removall from Mooshawset (other wise called Providence) to Shawomet”, was dated 20 November 1642.

In 1644 Socononoco deeded land at Pawtuxet to Richard Chasmore, as follows:

“Be it knowne unto all men by these prsents that I Socananoket Sachem of Pautuxet in consideration of 18 fatham of wampampeag which I have receaved of Richard Chasmore

I have given and granted unto the said Richard Chasmore his heires Executours and assignes all that my land that lieth upon the southsid of pawtuxet river neere to the fall the west end of it adjoynith close to the land that I formerly sold to Robert Colse and a litle swampe on the southwest end of it and from thenc eastwarde home to the salt river excepting only the Indian Corn fields if any do fall betwen upon a straight line the which said land conteineth neere about twelve Acres. be it more or less all the said land is from henceforth to be in the use and occupation of him Richard Chasmore his heires and assignes to have the same and to enjoy it to him and his heires and assignes for ever peacablie and quietly to possess the said land wthout any let henderance or disturbance of me my heires or assignes or any other parsons whatsoever moreover these presents shall testifie for me that I never before this time sould away any parte of any of the said land to any other parson or prsons whatsoever but that it shalbe lawfull for the said Richard Chasmore his heires and assignes to use and possess the same land at his or theire owne pleasure forever always prvided that the said Richard Chasmore Doe not thereby bring Damage unto any of the Indians upon any of their Corne fields In witnesse whereof I have hereunto set my hand the three and twentie Day of July 1644

Signed and delivered
in the prsence of
William Arnold
Stephen Arnold

The marke of



(Mass. Archives 30, 4)

Socanonoket"

Richard Chasmore was living at Pawtuxet in 1648 (P. T. P. 016), and later (W. D. 1, 101). Christopher

Hawksworth joined the Pawtuxet settlers before 20 October 1643, when he is named in a warrant. (R. I. H. S. C. 2. 211)

On 15 February 1644/5 Socononoco deeded to Benedict Arnold a tract of land south of the Pawtuxet River, and on the 27 of the following August, Ousamaquin deeded to William Arnold a tract of land north of the Pawtuxet River. The two deeds are:

"Sockananoco chief Sachem of Patuxsett (in consideration of twenty Fadom of Waompam by him Received) granted unto Benedict Arnold a certaine parcell of land on the south syde of the great Fresh water River, being in bredth from the higher top of the banks southwards three hundred & twentie polls, & the length from Robert Coles on the East, unto the furdest shallow that is in the River, & is nearest the fardest Indian field westwarde at Tueskeunckinck. As also all my prper right of feeding cattle in all the lands that belong to him on the south side of the River only his corne field excepted (Provided that Benedict shall secure his corne fields from damage by his cattle) & the said Benedict shall have free liberty of felling & carrying away of wood upon any of the land. & all priviledges thereto belonging. & this was by an absolute deed dated. 15. (12) 1644.

Witnesses by Wm Arnold The Markee of Socananoco
& Richard Chasmore
upon oath the 9 (8) 1645.

before Mr. Nowel:" (Suffolk Deeds 1, 63) and:

"at providence, this 27. day of August 1645

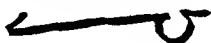
Be it Knowne unto All men by these prsentes that I osomequen, the chiefe Sachem of pokanocuk, for & in Consideration of the Sum of Eighteene Shillinges which at this prsant I have received in Red Cloath at the hand of william Arnold of pautuxett: doe Demise, graunt, make & passe over unto the Said william Arnold all that my proper Right, title or intrest that doe belong, or any wise apprtaine unto me, in all that land which Lieth on the west Side of the great

Salt River which floweth up to providence between the boundes of the Land that was once in the tenure, use or occupation of Soconanoco on the South Side of the same, and the Salt River on the East part and the north Side of the great Coave which cometh in on the north side of that neck of Land called Saxefrax, and from thence unto the north side of the pond called massapague, and so within these boundes westwards all and Generall. All which Said Lands with Thappurtenances thereto belonging is not in the handes use or occupation of the said william Arnold, to have and to hold the said Land with Thappurtenances to him his heirs & Assignes for Ever, And that it Shall, and may be lawfull to and for the said william Arnold his heirs And Assignes pecable and quietly to possesse & enjoy the beforesaid Demised prmises and Every prte and percell thereof without the Lawfull lett Trouble or deniall of or by me the Said Osomequen mine heirs or Assignes but that the Said william Arnold his heirs and Assignes Shall for Ever quietly use and Enjoy the said Landes with Thappurtenances as his, or their owne proper and Rightfull inheritance: And for the true performance of the Covetnanes abovesaid, I bind me, mine heirs and Assignes firmly by these Prsentes: In witnesse whereof I here unto Sett my hand Even the day and yeare first above written.

the marke

Signed & delivered
in the prsence of viz
Benedict Arnold Sunck Suit his

of



Osomequen

marke



otherwise

Called Tom of wachamoqt" (P. T. P. 099)

The earlier deed was recorded with variations at Providence, thus:

"This Grant was made the fifteenth day of the Twelwe month, in the yeare of our Lord 1644.

Memorandum, That I Sockananoco the chiefe Sachin of Pautuxet, for £ in Consideration of the sum of Twenty fathame of Wampam pague £^c that I have Received of £ at the hand of Benedict Arnold Hath demised Granted Made £ past over unto the said Benedict Arnold All that My Proper Right Title, £ Intrest in all that Land that lieth upon the south side of the grea[t] fresh Water River called Pautuxet River; being in breadth from the higher topp of the bankes by the River side in southwards three hundred and Twenty Poles, And the length of it is from the land that I sold unto Robert Colls on the East End of it Reaching from thence unto the farthest shallow that is in the River £ is Neerest unto the farthest Indian Field westwards at Toskeunck-nick; As also all my Proper Right of feeding of Cattle in all the lands that doe belong unto me mine heirs £ Assignes on the south side of the aforesaid River; my corne field only excepted. Alwayes provided, that the said Benedict Arnold his heirs £ Assignes doe secure the said Indian Corne fields from damage of his Cattle. And also the said Benedict Arnold shall have free liberty to come £ goe upon any of my land aforesaid to fell any Timber for his use: All which said land as is above expressed; part of it being the demisse of me the said Sockananoco unto the said Benedict Arnold about foure yeares since, is Now in the Tennure use £ occupation of the said Benedic[t] Arnold his heirs And Assignes To Have £ to hold the said land, feede of Cattle and felling of Timber with Thappurtenances Bennefitts, Proffitts £ Comodityes there of belonging, or appertaineing to any of the said land; And that the said Benedict Arnold his heirs £ Assignes shall peaceable £ Quietly possess £ Enjoy the same as their true Rightfull £ lawfull

Inheritance without the lawfull Lett of me the said Sockananoco mine heirs or Assignes, or any other person or persons whatsoever; And the said Benedict Arnold his to performe the said Covenant above Exprest; In wittness whereof I have hereunto set my hand 1644

Signed & delivered	Memorandum that the word (corne)
in the presence of viz	in the Margine & the word (And)
William Arnold	interlined in the 24. line, & the
Richard Chasmore	wordes (is to) in the 25 line was
Stepen Arnold;	interlined before the signeing &
	delivery of these presents.

The Marke



of Sockananoco.

Witessed by william
Arnold & Richard
Chasmore the 9th 8th
mo 1645 before Me
Increase Nowell:"

(P. R. 3A, 237)

It will be noted that Socononoco mentioned a previous sale or deed to Robert Coles.

Those purchasers of Pawtuxet, who did not submit to Massachusetts Bay, attempted to carry on the government of their lands, in spite of the efforts of Massachusetts Bay and the Arnolds. Very few of their records have been preserved, one of which is as follows:

"Pawtucksette Novem the sixte 1648 We the Purchasors of Pawtucksette have Laydeout To Stukeley Westcothe Two hundared and fifty Acres, of Uplande, To his Specticle Medow, Joyneing thereto, being Bounded one the norweste side with the Share Laydeout to Ezechielle Holymane, And one the sowthweste with his owne medow and Pawtuck-

sette River Being Two hundred-pole, every way square, This land and The Apertaynances, as any litle parsell of meadow within the sayd land to belong to the sayd two-hundered and fifty Acres as we alow to all the Reste of the shares when any small parsels of meadow falles in, This land we say we have delivered same And allsoe This Conuynce promes more thereto, as to other mens shares That where the land unlaydeout will [. . . .] That the next divisione of land that shall be Judged meet to be laydout shall be of the next land there to If desired. This to hem And his Asignes forever we deliver as his Right by us wittnes our hands

Richard × Watterman	Ezekiell Hollyman
Williame Harris	John Greene Jr
William Feild	
in the behalfe of Richard parker	
Richard harker''	

(Harris 2, 3. R. I. H. S.)



Seal of Ezekiell Holliman

XVIII

WILLIAMS SAILS TO SECURE A CHARTER

[1643]

OF a meeting held at Aquidneck 25 November 1639 there is the following record:

“By Order, mr Easson & mr John Clarke is desired to informe mr Vane by writting of the state of things here and desire him to Treat about the Obtaining off a pattent of the Island from his Matie and likewise to writt mr Thomas Burrwood Brother to mr Easson, Concerning the same thing:” (Rec. of Is. of R. I. 16. R. I. C. R. 1, 94) and at the General Court held at Newport 19 September 1642: “It is ordered that a Comittee shall be appointed to Consult about the procuracōn of a Patent for this Island and Islands & the lands adjacent, and to draw up peticōn or petitions, & to send letter or letters for the same end to Sr Henry Vane, and that if any oppertunitie be presented they shall have full Powre to transact & send to the forenam’d Gentleman or any others whom they shall think meet for the speedy effecting of said business provided, that an oppertunitie be as aforesd presented, between this & the Generall Court in march next wh oppertunitie failing then to present the affaires so ripened to the Generall Court then assembled: & farther it is ordered tht what charges shall any way be dispended herein, the Body doth ingage themselves a dew proporcōn therein,

The Comittee appointed for the transacōn of this business is the Govr, the Dept, the foure assistants the Secret, Capt

Jeoffres Capt Harding & mr John Clarke." (Rec. of Is. of R. I., R. I. C. R. 1, 125)

Vane had before this returned to England. Owing to the imperfection of the Providence records that have survived, it is impossible to tell whether or not any similar action was taken there, but from subsequent events it would seem probable that some such action was taken.

There is no record in regard to the patent affair in the records of the March 1642/3 Court, whence it might be inferred that an "oppertunitie" had been presented between 19 September 1642 and 15 March 1642/3.

It is perhaps a significant fact that at the Court of 19 September 1642 the resolution previous to the one in regard to the patent reads:

"It is ordered that full Comission is granted to mr Roger Williams to Consult & agree wh miantonomie Sachem of the Narragansets, For the destruction of the wolves that are now upon the ysland, as also that they no way damnifie the English in that or in a present hunting granted to them for the killing of the deare that are upon the same provided, tht the Indians shall no more require the like Curtesie of hunting upon the Island wn as this enterprise is effected." (Rec. of Is. of R. I., R. I. C. R. 1, 125)

These items show that the Aquidneck government was in close touch with Roger Williams at this time, and that they granted him a "full Comission" for one purpose in September 1642, that apparently the preliminaries of the patent business were settled before 15 March 1643, and soon after this, in the spring of 1643, Roger Williams left for England in order to obtain the Patent.

In his letter to Major Mason already quoted he wrote: "5. Consid: Upon frequent Exceptions agnst Providence Men, tht we had no Authoritie for Civill Govrmt: I went purposely to Engl: & upon my Report & petition, the Parliamnt granted us a charter of Govrmt for these

parts (so judged vacant on all hands)". (M. H. S. M. 161, G. 15., M. H. S. C. 1, I, 278)

The exact date of Williams' sailing for England is not known. In regard to it, he wrote in a letter dated 5 October 1654 (5-8-54):

"Heretofore not having Libertie of taking ship in Yor Jurisdiction I was forced to repair unto the Dutch, where mine Eyes did see tht first breaking forth of the Indian War, wch the Dutch begun (upon the slaughter of some Dutch by the Indians) & they questioned not to finish it in a few dayes, in so much tht the Name of Peace (wch some offered to mediate) was foolish & odious to them But before we waighed Anchor their Bowries were in Flames Dutch & Eng were slaine mine Eyes saw their flames at their Townes end & the Flights & Hurries of Men, Women & Children, the present Remoovall of all tht Could for Holland, & after Vast expences & mutuall slaughters of Dutch English & Indians, (about 4 yeares) the Dutch were forced (to save their plantation from Ruine,) to make up a most unworthy & dishonorable peace with the Indians." (Mass. Arch. 30, 58. P. C. R. 10, 440)

Under the date of 20 June 1643, [4-20], Winthrop wrote:

"The Indians also of Long Island took part with their neighbors upon the main, and as the Dutch took away their corn, etc., so they fell to burning the Dutch houses. But these, by the mediation of Mr. Williams, who was then there to go in a Dutch ship for England, were pacified, and peace re-established between the Dutch and them. At length they came to an accord of peace with the rest of the Indians also." (2, 117)

That Roger Williams could not have left Providence until late in February 1643 appears from the fact that his son Joseph was not born until "about the beginning of the 10th month Decemb 1643 (so called" (P. T. R. 1, 7)

On 24 and 25 of February 1642/3 according to De Vries

(1655. N. Y. H. S. C. 2. 3. 115) and to "Breedem-Raedt" (1649; *ibid*, 255) the Dutch massacred many Indians, and according to the same authorities the Indians soon retaliated by attacking the Dutch and burning their buildings etc.

The attack of the Indians appears to have taken place before 4 March 1643 for on that date according to De Vries (*ibid*, 117) the Long Island Indians offered to make peace.

Hence Williams must have reached Manhattan during this attack, that is some time between 26 February and 4 March 1643. This would be the time we might expect him to start if he were going in connection with the resolution of 19 September 1642.

Sir Henry Vane, Jr. gave valuable aid to Roger Williams in his application for a charter. Writing 25 August 1658 Williams said in regard to this:

"This I mention, that as that truly noble Sir Henry Vane hath been so great an instrument in the hand of God for procuring of this island from the barbarians, as also for procuring and confirming of the charter, so it may by all due thankful acknowledgment be remembered and recorded of us and ours which reap and enjoy the sweet fruits of so great benefits, and such unheard of liberties amongst us." (Backus 1, 91)

In January 1643/4, before the new Charter had even been signed, the inhabitants of Newport endeavored to form a closer union with Providence, as is shown by the letter of John Clark given below. Owing to the scantiness of the records that have come down, it is impossible for us to tell whether or not this union was formed, and whether or not the General Assembly suggested in the letter was actually held. The letter reads:

"The Inhabitants of the towne of Newport unto the Inhabitants of Providenc sendeth greeting &c
Worthy Friends we being upon occason mett together as our Messenger Mr Gold can informe you, and having after

serious consultations at lenth unanimously concluded that for sundry considerations concurring it wold be safe ād moer then expedient that a Generall Assembly shold be forth with cald, both to rectife those things that are amisse among us, to supply what is defective, and to take order for a Collony court of tryall, fearing that erlong by reason of that late sad accident faln out among us ther may be more than ordinary occasion to make use tharof, having we say thus concluded, these conclusions by way of advice and counsell we have thought good and that according to order in that case provided to impart unto you hoping to receive from you not only approbation therto but your furtheranc therof And for the time place and maner when wher and how this assembly shall be cald convented and managed you shall find us willing rather to have appointed by you then to appoint unto you; nothig doubting but wisdome is profitable to direct you to be guirded up therin unto preceeding orders wt we may; thus waiting for the safe returne of yor messenger with yor gratefull answ: to or earnest request, we shall remaine & you shall find us as or subscription hath engaged us John Clark

Newport 24. 11. 43

To or Loving Neibors and friends the Inhabitants of the towne of Providenc these with speed &c” (R. I. H. S. M. 1, 5.)

XIX

THE SETTLEMENT OF SHAWOMET

[1642]

IN October 1642 Miantonomi and Socononoco sold to John Greene a tract of land south of Pawtuxet, known as Occupessatuxet. The deed is as follows:

“October 4 Anno Domine 1642

Know all men that miantonomu Chief Sachim of the Nanhigansets have sould unto John Greene of New Providence all that necke of land together with a litle Island [adjoin] inge therunto on the east side with the sea compased about with all the rightes and Priveledges thereofe whatsoever with all that meddowe ground that is called, Occuppesuatuxet Cove, It beinge the boundes of the Necke of land on the south side, and the way that leadeth from Patuxet and Patiunce Cove to Occupessuatuxet Cove beinge the boundes on the West, and Patiunce Cove beinge the boundes on the North, and the sea on the East as also the said John Greene shall have free liberty for Timber and Comonidge to feede his cattell at large from Patiunce to Occuppesuatuxet point Westward, for ever, all this I say I have sould to the abovesayd John Greene, his Heires and executors to have hould and Injoy in as ample maner as I Miantonomu did, before the sale hereofe, for and in Consideration of thirty fathom of Wampompeague already payd in hand and received from the abovesayd John Greene by mee Miantonomu in wit-

nesse whereofe I have sett to my hand the day and yeare
abovewritten in the prescence of these witnesses

Randall Houlden

Awashes



Mark

Miantonomus



marke

his marke

Absoloms



mark "

Socko



nonocko

(Warwick Records 1,476)

This purchase was south of all the lands held by the Pawtuxet men, and Greene, the purchaser, one of the followers of Gorton, probably soon moved there. This purchase doubtless had considerable influence in determining the location of the Gorton purchase, which was made soon afterwards, and which was contiguous to it. The deed as recorded in the State Records is dated October 1 and "Patiunce" is spelled "Patiunco". (R. I. C. R. 1, 205). This latter spelling appears on a manuscript copy of the deed. (Mss. Copies of Warwick Records. R. I. H. S.)

"Now we plainly perceiving that the drift of the Massachusetts, and those joyned with them, was not only to take the whole Country of the English Plantations into their Jurisdictions; but also to establish what way of Religion themselves thought fit, to the taking away (not only of goods) but lives also of such as were otherwise minded: We made answer unto the Writing, they had sent unto us, on this wise; which Answer was made upon our removall from Mooshawset (otherwise called PROVIDENCE) to Shawomet." (Gorton 9)

From this statement of Gorton, it would appear that the Gortonoges moved from Pawtuxet in the Providence Plantations to Shawomet in or about November 1642, for the "answer" is dated "Mooshawset, November the 20. 1642."

In the "answer", which is very long and largely meta-physical, Gorton writes among other things:

"Whereas we lately received an irregular note professing its forme from the Massachusets, with four mens Names subscribed thereunto (as principall authors of it) of the chiefe amongst you, we could not easily give credit unto the truth thereof; Not only because the conveyers of it unto us are known to be men whose constant and professed acts are worse than the counterfeittings of mens hands; but also, because we thought that men of your parts and profession would never have prostrated their wisdome to such an act: . . . whereas you say Robert Cole, William Arnald, with others, have put themselves under the government and protection of your Jurisdiction, which is the occasion you have now got to contend; we wish your words were verified, that they were not elsewhere to be found, being nothing but the shame of Religion, disquiet and disturbance of the places where they are; for we know neither the one nor the other, with all their associates and confederates, have power to inlarge the bounds, by King CHARLES, limited unto you. . . .

Therefore long may you boast of your Jurisdiction before you attain to Juris prudentia in these things, in that you tell us we offer wrong by a pretended purchase, you are as much mistaken in the purchase as in the wrong; for it is right that we are about to do, neither is our purchase a pretence, but presidentially, not only in this civill respect, but may also admonish all men to take heed how they depend upon false and self-seeking interpreters, when both themselves, and they that have the vision are ignorant of the

contract and covenant of God: . . ." and, in a marginal explanatory note; added:

"Arnalds son Benedick being interpreter between the Indians about us, & the Massachusets, seeking to get some advantage against us by the Indians to blind the Country, as though they had a just quarrel, we seeing and knowing the falsity thereof, do apply the thing to their spiritual course they walk in." (Gorton 9-13)

The letter is signed by the twelve settlers of Shawomet; John Wickes, Randall Houlden, John Warner, Robert Potter, Richard Waterman, William Waddle, Samuel Gorton, Richard Carder, John Greene, Nicholas Powar, Francis Weston, and Sampson Shatton. (Gorton 31)

On 12 January 1642/3 the Gortonoges obtained from Miantonomi a deed of Shawomet, which reads:

"Know [all men;] That I, Myantenomy, Cheff Sachem of the Nanheggansett, Have Sould unto the prsons heare named, one prsell of Lands with all the Rights and privileges theroff what so ever, Lyinge uppon the west syde of that prt of the sea Called Sawhames Bay: from Copessuatuxett, over against alite [little] Iland in the sayd Bay, being the North Bounds and the outmost point of that Neck of Land called Showhomett, beinge the south Bounds From the sea shoare of each bounder[y] uppon a straite Lyne westward Twentie miles I say I have truly sould this prsell of Land above sayd, the proportion wherof is acordinge to the mapp under writen or drawne, being the form of it, unto Randall Houlden, John Greene, John Wickes, Francis Weston, Samuel Gorton, Richard watterman, John warner, Richard Carder, Sampson Shotton, Robert Potter, William Wuddall, For one hundreth and Fortie 4 Fatham of wamppampeague, I say I have sould it and possession of it given unto the men abovesayd wth the Free and Joynt Consent of the prsent inhabitants being Natives as it [ap]peeres by their hands hearunto anexed. Dated the Twelth Day of January, 1642. Being inacted

uppon the abovesayd prsell of Land, in the prsence off

MYANTONOMEY

PUMHOMM Sachem of Showhomett



TOTANOMAN
marke



JANO His marke

JOHN GREENE Ju"

(Photograph of original in "The Greens of Rhode Island opp. p. 44., R. I. Land Evidence 1, 158.)

Gorton continues his narrative thus:

"whereupon we heard a rumor that the Massachusetts was sending out an Army of men to cut us off: but when they perceived we were removed further into the Countrey, and had left our Lands, Houses, and Labours, where their pretended subjects, by meanes of whom they sought for some temporall occasions against us, lived, they thought it not safe to come out against us, having show of nothing against us, but only our Religion; therefore seeing themselvs disappointed in that designe, wherein their Coadjutors, had wrought to bring them in, to make an inroad upon us, they then wrought by these their Agents, who traded for them with the Indians, to insinuate themselves into two, or three Indians amongst us, to become subiects to the government of the Masachusetts, hereby with-drawing them from their lawfull and naturall Prince, Myantonomy; and the name of these his subjects, who now became subjects to the Masachusetts, were Pumhom, and Soccononocco; and when this was accomplished, then they againe sent forth their

warrants unto us, as formerly to command our appearance at their Courts, in the Massachusets, and that without any consideration or delay, at the first time of their sending unto us, after our removall, the Court being then sitting at Boston, in the Massachusets.” (Gorton 32)

and:

“Here followeth a true Copie of the first Warrant sent unto us, by the Generall Court assembled at Boston, in the Massachusets, after our removeall unto, and planting upon our Land at Shaw-omet, verbatim, the Warrant under their hand being still extant.

To our Neighbours, Master Samuel Gorton, Iohn Wickes, Randall Houlden, Robert Potter, Francis Weston, Richard Carder, Iohn Warner, and William Waddle.

Whereas we have received upon good ground, into our Jurisdiction, and Protection, two Indian Sachims, whose names are Pumham, and Soccononoco, who have lately complained unto us of some injurious and unjust dealing, towards them by your selves; and because we desire to doe equall right and justice to all, and that all parties might be heard, we have therefore thought good to write unto you, to give you notice hereof, that so you might make present answer in the Generall Court now assembled at Boston to their complaints, who are now here with us, to attend your comming: And because some of you have been denyed the liberty of comming amongst us, and it may be, others are not willing in other respects, personally to appeare, we doe therefore hereby give and grant safe conduct for your free egresse & regresse unto us, whereby there may be no just excuse, for with-holding you to give satisfaction in this particular.

Dated the 12th. 7th. Mo. 1643.

Per cur. general. Incr. Nowell Secret.” (Gorton 33)

Gorton continues: “This Warrant being delivered unto us, by some of their forenamed Agents, the English, we presently

returned them this answer by word of mouth, by their Messenger, telling them, that we being so far out of their jurisdictions, could not, neither would we acknowledge subjection unto any in the place where we were; but only the state and government of old England, who only had right unto us, and from whom we doubted not but in due season we should receive direction, for the well ordering of us in all civill respects; and in the meane time we lived peaceable together, desiring and indeavouring to doe wrong to no man, neither English nor Indian, ending all our differences in a neighbourly and loving way of Arbitrators, mutually chosen amongst us: . . .” (Gorton 33)

It would seem as though the “Arbitration plan” must have in general worked successfully at Providence, for if it had proved a failure, it is scarcely probable that it would have been adopted by the Shawomet settlers, who were well acquainted with the affairs at Providence.

The following week the Gortonoges sent a letter dated, “From our Neck: Curo, September 15. 1643. To the great and honoured Idol Generall, now set up in the Massachusetts.” The letter is long, metaphysical and uncomplimentary. The following extracts from it shed light upon the situation.

“Out of the abovesaid principles, which is the kindome of darknesse and of the devill; you have writ another Note unto us, to adde to your former pride and folly, telling us againe, you have taken Pumham, with others into your Jurisdiction and Government, and that upon good grounds (as you say:) you might have done well to have proved your selfe Christians, before you had mingled your selves with the heathen, that so your children might have knowne how to put a distinction betwixt yours and them in after times, but wee perceive that to bee too hard a worke for your selves to performe, even in time present. But if you will communicate Justice and Government with that Indian, wee advise

you to keep him amongst your selves, where hee, and you may performe that worthy worke: Yet upon a better ground, wee can informe you, that hee may not expect former curtesies from us, for now by your Note, wee are resolved of his breach of Covenant with us, in this his seeking and subjection unto you, which formerly hee hath alwayes denied; let him and you know therefore, that hee is to make other provision for his planting of corne hereafter, than upon Mshawomet, for wee will not harbour amongst us any such fawning, lying, and cadaverous person as hee is, after knowledge of him, as now in part you have given unto us, only hee shall have liberty sufficient to take away his corne, habitation, or any of his implements, so be it hee passe away in peace and quiet, which might in no case bee admitted, if it were so that wee lived by blood, as you doe, either through incision of the nose, division of the eare from the head, stigmatize upon the back, suffocation of the veines, through extremity of cold, by your banishments in the winter, or strangled in the flesh with a halter. . . . You tell us of complaints made by the Indians, of unjust dealings and injuries done unto them, why doe they not make them knowne to us, they never complained to us of any thing done unto this day, but they had satisfaction to the full, according to their owne minde, for oft wee know, in what they expresse unto us, although our wrongs insufferable done by them lie still in the deck, for wee know very well, wee have plenty of causelesse adversaries, wanting no malice that Satan can inject, therefore wee suffer much, that in the perfection and heighth of their plots, they may receive the greater rebuke and shame for their basenesse, in the eies of all the world.

To which end wee have not onely committed our condition unto writings, but them also into the hands and custody of such friends, from whom they shall not bee taken by any, or by all the governments of this Country, as formerly they have beene, that so our wrongs might not appeare; therefore never

picke a quarrell against us in these things, for wee know all your stiles and devices that being you now want such as old malicious Arnould, one of your low stringed instruments, to exercise his fidle amongst us, and wee are void of your benediction also, sprung out of the same stock to make rents and divisions for you to enter to gaine honour unto your selves in having patients to heale, though they lie never so long under your hands, your chirurgerie must be thought never the worse. Wanting these or such like of the English, to betray the liberties, God hath given us into your hands, now you worke by your coadjutors, these accursed Indians; . . . For wee are resolved, that according as you put forth your selves towards us, so shall you finde us transformed to answer you. If you put forth your hand to us as country-men, ours are in readinesse for you: If you exercise the pen, accordingly doe wee become a ready writer; If your sword bee drawne, ours is girt upon our thigh; If you present a gun, make haste to give the first fire: for we are come to put fire upon the earth, and it is our desire to have it speedily kindled. . . . Wee demand when wee may expect some of you to come up to us, to answer and give satisfaction for some of these foule and inhumane wrongs you have done, not to the Indians, but to us your country-men: not to bring in a Catalogue, as we might, take this one particular abuse you are now acting; in that you abet, and backe these base Indians to abuse us. Indeed Pumham is an aspiring person, as becomes a Prince of his profession, for having crept into one of our neighbours houses, in the absence of the people, and feloniously rifled the same, hee was taken comming out againe at the Chimney-top: Soccononoco also hath entred in like manner into one of our houses with divers of his companions, and breaking open a chest, did steale out divers parcels of goods, some part whereof, as some of his companions have affirmed, are in his custody at this time. Yet we stand still to see to what good issue you will bring your

proceedings with these persons, by whom you are so honorably attended in the Court generall, as you call it, and would honour us also, to come three or fourescore miles to stand by you and them; wee could tell you also that it is nothing with these fellowes to send our cattle out of the woods with arrowes in their sides, as at this present it appeares in one even now so come home, and it is well they come home at all, for sometimes their wigwams can receive them, and wee have nothing of them at all; yea they can domineere over our wives and children in our houses, when wee are abroad about our necessary occasions, sometimes throwing stones, to the endangering of their lives, and sometimes violently taking our goods, making us to runne for it if wee will have it, and if wee speake to them to amend their manners, they can presently vaunt it out, that the Massachusets is all one with them, let the Villanie they doe bee what it will, they thinke themselves secure, for they looke to bee upheld by you in whatever they doe, if you bee stronger then them which they have to deale withall," (Winslow 28)

The letter is signed "The joynt aēt, not of the Court Generall, but of the peculiar fellowship, now abiding upon Mshawomet.

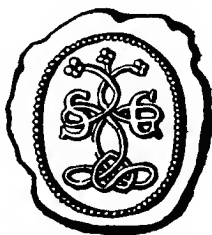
Randall Holden." and a postscript adds:

"Wee need not put a seale unto this our warrant, no more than you did to yours." (Winslow 34)

Winthrop wrote in regard to this:

"Upon the complaint of the English of Patuxet near Providence, who had submitted to our jurisdiction, and the two Indian sachems there, of the continual injuries offered them by Gorton and his company, the general court sent for them, by letter only, not in way of command, to come answer the complaints, and sent them letters of safe conduct. But they answered our messengers disdainfully, refused to come, but sent two letters full of blasphemy against the churches and magistracy, and other provoking terms,

slighting all we could do against them. So that having sent three times, and receiving no other answer, we took testimonies against them both of English and Indians, and determined to proceed with them by force. And because they had told our messengers the last time, that if we had any thing to say to them, if we would come to them, they would do us justice therein, therefore we wrote to them to this effect, viz.: To the end that our justice and moderation might appear to all men, we would condescend so far to them as to send commissioners to hear their answers and allegations, and if thereupon they would give us such satisfaction as should be just, we would leave them in peace, if otherwise, we would proceed by force of arms; and signified withal that we would send a sufficient guard with our commissioners. For seeing they would not trust themselves with us upon our safe conduct, we had no reason to trust ourselves with them upon their bare courtesy.” (2, 165)



Seal of Samuel Gorton

THE DISPUTE BETWEEN SHAWOMET &
MASSACHUSETTS BAY

[1643]

MASSACHUSETTS BAY was not slow in replying, as Gorton relates: "They receiving our answer, tooke it disdainfully, as their intent was to take any we sent, without our personall appearance, being resolved what course to runne concerning us; whereupon they sent us another Writing immediatly from the Court, to informe us, that they were resolved to come downe amongst us, to exercise Justice there.

Here followeth a true Copie of the Writing which they sent unto us, verbatim, being still extant.

To Samuel Gorton, Iohn Wickes, Iohn Warner, Iohn Green, Randall Houlden, Francis Weston, Robert Potter, Richard Waterman, Richard Carder, Sampson Shotton, Nicholas Power, and William Waddle.

Whereas upon occasion of divers injuries, offered by you to us, and the people under our jurisdiction, both English and Indians, we have sent to you to come to our Court, and there make answer to the particulars charged upon you, and safe conduct to that end: To which you have returned us no other but contemptuous and disdainfull answers; and now at the last, that if we would send to your selves, that the cause might be examined, and heard among your owne Neighbours, we should then have justice and satisfaction: We have therefore, that our moderation and justice may appeare to all men, agreed to condescend herein to your owne

desire; and therefore intend shortly to send Commissioners into your parts to lay open the charges against you, and to heare your Reasons and Allegations, and thereupon to receive such satisfaction from you, as shall appeare in justice to be due. We give you also to understand, that we shall send a sufficient Guard, with our Commissioners, for their safety against any violence, or injury; for seeing you will not trust your selves with us, upon our safe conduct, we have no reason to trust ours with you, upon your bare courtesie: But this you may rest assured of, that if you will make good your owne offer to us, of doing us right, our people shall returne, and leave you in peace; otherwise we must right our selves, and our people, by force of Armes.

Dated the 19th. of the 7th. M. 1643.

Per cur. Increase Nowell, Secret.

The next newes wee had, immediatly upon the receipt of this Writing, (being about our necessary imployments, in provision for our families) was this; that one Captaine George Cooke, with a company of armed souldiers, accompanied with many Indians, having Commission from the Massachusets, either to bring us away by force of Armes, or else to put us to the sword; which when we heard, we partly beleaved, in regard they had given order by publicke Court, long before, that no Gun-powder should be sold into those parts where we lived, but only to such as would become subjects to them, whereby the place was not only hindred of means of defence from a forraine Enemy, but also to furnish their families with such provisions as the countrey affords: we hearing of their approach, immediatly sent a Letter to those which we heard they stiled Commissioners, which proved to be the Captaine, together with his officers, desiring to know their intent, and what their Commission was to doe in those parts, signifying, that if they came to visit us in way of neighbour-hood, and friendship, to cleare any matter or cause, they should be welcome to us; but if other-

wise, we wished them not to set a foot upon our Lands, in any hostile way.

A true Copie of our Letter verbatim, sent to the Commissioners, as they were upon the way comming from the Massachusetts towards Shaw-omet.

Shaw-omet the 28th. of September, 1643.

To certaine men stiled Commissioners, sent from the Massachusetts, now upon the way towards Shaw-omet, whose names we know not.

Whereas you are sent by the government of the Massachusetts, under pretence of having things ordered amongst us, in way of justice, and equity, to be distributed unto themselves, (consisting as they say) of English and Indians, and that upon this ground, that we have given them an invitation to that purpose; Know therefore our whole intent, and meaning therein, which may not beare any other interpretation in a rationall mind; that as they invited us unto them, as Clients to have our causes tryed by them, and not as Warriors to fight with them, so did we, and no otherwise invite them: Mistake us not therefore, neither deceive your selves through their or your owne pretences; for if you come to treat with us, in ways of equity and peace (together therewith, shaking a Rod over our heads, in a Band of souldiers:) Be you assured, we have passed our Child-hood and nonnage in that point, and are under Commission of the great God, not to be children in understanding, neither in courage; but to quit our selves as men; we straitly charge you therefore, hereby, that you set not a foot upon our Land in any hostile way, but upon your perill; and that if any blood be shed, upon your owne heads shall it be; and know, that if you set an Army of men upon any part of our Land, contrary of our just prohibition herein, we are under command, and have our Commission sealed already, to resist you unto death; for this is the Law of our God, by whom we stand, written in all mens hearts, that if you spread a

table before us as friends, we sit not as men invective, envious, or male-content, not touching a morsell, nor looking for you to point us unto our dish, but we eat with you, by virtue of the unfained Law of relations, not only to satisfie our stomachs, but to increase friendship and love, the end of feasting: So also if you visit us, as Combatants, or Warriors, by the same Law of relations, we as freely and chearfully answer you unto death; not to kill, and take away the lives of men, but to increase wrath and horroure, the end of warre, in the soules of all men that seeke after it, where the peace of our God appeares not; and they that worke otherwise, and answer not unto this Law, they are not men of truth, but base dissembling Hypocrites; shadowes, and abominable Idols, set up in the forme of men.

By us owners, and Inhabitants of Shaw-omet.

This Letter being sent unto these Commissioners so stiled by them, though as yet unknowne unto us, by the hand of one Iohn Peise, who lived amongst them in the Massachusetts, who having a Father in Law amongst us, was willing to come and declare unto his Father, out of his tendernesse towards him, of the nearnesse of the souldiers approach, and as neare as he could, the end of their comming, to perswade his said Father to escape for his life.

And when the Captaine, and the rest of the Commissioners had read our Letter, they returned us this answer (by the same Messenger) namely that they desired to speake with us, to see if they could convert us to be of their minds, (bringing a Minister with them, to accomplish their ends in such designs) which if they could not, then they would account of us, as men fitted for the slaughter, and with all convenient speed, would addresse themselves for our dispatch in the ruine of us, and of our families.

Here followeth a true Copie of the answer made by the Commissioners, unto our Letter, verbatim, under their hands, which is still extant.

To our friend John Peise. Having considered of the Writing you brought to us the last night, our thoughts concerning it, are as followeth.

First it is our great desire, that we might speake with them, concerning the particulars, which we were sent to them about; certainly perswading our selves, that we shall be able through the Lords helpe to convince some of them, at least of the evill of their way, and cause them to divert their course, that so doing they may preserve their lives and liberties, which otherwise must necessarily leade to eternall ruine of them and theirs; for however, through an evill spirit, that hath possessed some one, or two of them, others are drawne into such desperate evils, as is monstrous to thinke of; yet having better counsell, we hope they will be brought to see their weaknesse, and repent of it, that so we might returne, and leave them and theirs in peace, which is our great desire, and the contrary most grievous; but if there be no way of turning them, we then shall looke upon them, as men prepared for slaughter, and accordingly shall addresse our selves, with all convenient speed, not doubting of the Lords presence with us, being cleare in the way we are in: This being our minds, we intreate you to acquaint them with it speedily; and if they shall, who have set their names to their book, doe come to us, and speake with us, we shall give them leave to returne without hurt.

Your Friends and Commissioners sent by the government of the Massachusetts-Bay into these parts.

GEORGE COOKE.

EDWARD IOHNSON.

HUMFREY ATHARTON." (Gorton 34-38)

Gorton in a marginal note comments on this letter thus:

"This Letter doth plainly declare, the proper intent of the Massachusetts in sending out this band of souldiers against us, namely in the falsifying of our faith to God, to subject our selves unto them, (who never named the least word

unto us, as though they came against us in the name of the King, and State of old England, but in the name of the government of the Massachusets) or else to pay the tribute of our Lives unto them, in the utter ruine of our wives and children, which these men having received in Commission, together with instruction how to accomplish and effect the same, from those that sent them, count it their glory to reveal, and make manifest the same, which the Massachusets had so long gone about to hide, under the colour of some civil miscarriage in our course of walking towards men, in regard themselves had professed, to remove into those parts meerly for the liberty of conscience, which now they so zealously deny unto their neighbours.” (Gorton 38)

“The returne of this answer from the Commissioners, as above, affrighted our wives & children, forcing them to betake them selves, some into the Woods among the Indians, suffering such hard-ship, as occasioned the death of divers of them, and others going to take water, to depart to other plantations for succour, the souldiers approached before they could take boat, who presented their Muskets at women great with child, forcing them and their children to runne deep into the water, to get into the boat for feare of them; we betaking our selves to one of our houses, for our defence, they presently appeared in fight; S. Gorton being out of the house to convey his Wife (who was great with child) towards the water-side for her escape, espied them about Musket-shot from the house, the way which they came being full of wood; they were not sooner discerned but he called unto them, to keepe without the distance of Musket-shot, calling to his friends in the house also to stand to their Armes, for a band of souldiers consisting of English and Indians were in fight; so committing his Wife to some of Providence, which came along with them to convey her to the boat, betooke himselfe to the house with the rest.

These our loving neighbours, inhabiting neere unto us in

that Towne where Master Williams sate downe, being deeply affected with the proceedings of the Massachusets, comming downe unto us along with them, to be eye and eare witnesses how things were carried at our meeting; who instantly urged the Captaine, and officers for a parley, who denyed to yeeld or grant any such thing, but professed they would fall upon us presently, unlesse it might be private betwixt themselves and us, and none else to heare it, professing to make dispatch of us in one quarter of an hours worke, which we understanding refused to enter into parley, unlesse our said neighbours of Providence might be present to witnesse the passages of it; but at the last after much affectionate urging, they yeelded to a parley; and foure of Providence men to be chosen out as witnesses, which we freely consented unto the mutuall choyce of them, and accordingly we met together; and we demanding of them the end of their coming, they pretended we had done some wrong unto certaine of their subjects, as also that we held blasphemous errorrs, which we must either repent of, or goe downe to the Massachusets to be tryed at their Courts, or else they had Commission to put us to the sword, and to pay themselves out of our goods, for their charges in comming thither; to which we made answer, we could not yeeld thereunto, that they that were our professed adversaries should be our Judges, we being so farre out of all their jurisdictions; but freely tendred our appeale to the honourable State of England, in any thing that could be objected against us, which they peremptorily refused:

We then offered to put our case to arbitration, by indifferent men, mutually chosen in the countrey, ingaging our goods, our lands, & our persons, to make full satisfaction for any thing that could be brought in, or appeare against us; which Propositions seemed so reasonable, not only in the eyes of the witnesses, but also to the Captain and the rest, that there was a truce agreed upon, untill such time as

a Messenger being dispatcht into the Massachusets, might returne with the answer of the Governour, and Assistants, during the time of which truce, they broke open our houses, and our desks, taking away our Writings, killed our Cattle for themselves and the Indians, whom they brought with them, to live upon taking the bedding, with other necessaries in our houses, for the souldiers to lie upon, and make use of, not only at that time, but afterwards in their trenches, during the time of their league, assaulting some of our friends, both men, women, and children, who only came to see us, in that sad time of extremitie, hearing there was a truce concluded for a season, indeavouring to cut them off, upon the water, (being in a small vessell) by shooting halfe a score or a dozın Muskets at them, before they could get out of their reach, which they very narrowly escaped; during the time of this truce, the men of Providence (unknowne unto us) sent a Letter to the Government of the Massachusets, to informe them how things had been carried at our meeting, whereof they were eye and eare witnesses.

A true Copie of the Letter sent by the men of Providence, chosen to be witnesses, of all passages in way of our parley, to the Governour of the Massachusets, in way of mediation for peace, to prevent Countrey-men from spilling one an others blood, it is here set downe verbatim, according to the originall Copie still extant.

Providence the 2. of the 8t. Mo. 1643, so called.

Worthy Sir, let it not seeme absurd, that we whose names are here under written, present you with these insuing lines; we lately hearing read a Copie of your writing, directed to Samuel Gorton, and that company, as also some of us being requested by our neighbour Cole (your subject) and (all requested by Samuel Gorton, and his company, to heare and see) the truth of proceedings on both sides, our consciences perswading us, that these desires were reasonable, and for ought we know, might be a meanes (if God so wrought) to

prevent the shedding of blood; these things we say considered, may (as before) cause our boldnesse. We therefore being filled with griefe at such a spectacle, that the English should shed English blood, doe desire to acquaint you with what we did observe, during that respite, that was condescended to, for a treatie; therefore to proceed, after your Commission read, S. G. his company did desire to know in what particulars, you did demand satisfaction; the propositions being declared were foure.

Frst to get them off the Indians ground, which your Commissioners said, they had but intruded.

Secondly, for satisfaction about a Booke, wherein your Commissioners said, were grosse things penned.

Thirdly, for satisfaction for wrong done, both to English and Indians, under your subjection.

Fourthly, for charges, which your Commissioners said, they had caused by forcing this Army.

Vnto the first they answered, that the ground was theirs, and they were the true owners, and that by the same right that you did clayme it, it being long before subjected to the Nanhyganset Sachim, and purchased by them of Myanatomy, and (to take away all colour of claime) of Pumham also, and they having quiet possession of the same, untill this trouble; and therefore did conceive you had wronged them, by bringing an Army, to force them from their ground; your Commissioners pleaded, it was your right, by the Indians subjecting to you, and thereupon were very resolute to take them off by force; which they questioned not but immediatly to performe; the other as resolute, considering, they said they had bought it, and vowed to stand upon their lawfull defence, though to the last drop of their blood, the resolution on both sides being so hot, that we thought immediatly the Battle would have began; they did then appeale to the highest Court in old England, for the tryall of their right, which when your Commissioners refused, they did

again offer to put it to the tryall of indifferent Judges in this Countrey, which were parties of neither side, and counted it unreasonable, that force should be offered before the cause were tryed, which they judged you could not doe, being parties in the cause, and promised to stand to the determination of those Judges, to the utmost of their estates and persons.

Secondly, being demanded by your Commissioners, satisfaction for the Book, wherein they declared grosse things were penned, they answered, that they would put it, as the former, to be judged by indifferent Judges, both the terms, & satisfaction.

To the third, for satisfaction for wrong done, both to Indians and English; they answered, they would give full satisfaction.

Concerning the fourth, wherein was great expence and charges required; they answered likewise, as in the former, that they would pay and give to the utmost satisfaction, if the Arbitrators judged, that they were the cause of raising it, and would as fully and freely submit, as to eat and drinke: These being in short the heads, we leave the more ample relation to your Commissioners; Sir so faire Propositions offered, we hope will worke your affections to the utmost end, of preventing blood-spilling: Nay, we hope, if it be but upon the point of honour, rather that you will be losers, then take the utmost; the case we cannot but be sadly affected with, knowing it will be dishonourable to the Lord, if those who professe themselves Christians, should not take the best means for peace; we hope you will not in the least measure take it unkindly for any hint unto you; neither that you will despise Abigals counsell, for Nabals churlishnesse; let the Lord smite them, and his hand be upon them, if they sinne against him; If one man sinne against another, the Iudge shall judge him, but if a man sinne against the Lord, who shall intreat for him? I Sam.

2. 25. Now their Proposition is for man to judge, as that first part of the alleadged Scripture doth declare; some of their wives and children (if a mornfull Spectacle might move you) doe begge for a serious consideration of their husbands, and fathers Propositions; which if not hearkned unto, were like in mans eye to be left miserable; we would they were able to write their owne grieffe, which now in pitie we have respect unto: Oh, how grievous would it be (we hope to you) if one man should be slaine, considering the greatest Monarch in the world cannot make a man; especially grievous, seeing they offer termes of peace: Sir, we know not how to end, nor what to say, we must abruptly leave desiring your wisdoms to cover our defects with love, and answer for us, if any shall challenge us, 2 Tim. 2. 7.

CHAD. BROWNE. THOMAS OLNEY.

WILLIAM FIELD.

WILLIAM WICKENDEN." (Gorton 38-44)

Winthrop records: "And accordingly we sent the next week Captain George Cook, Lieutenant Atherton, and Edward Johnson, with commission and instructions, (the instructions would here be inserted at large,) and with them 40 soldiers.

They came to Providence, and by the way received another letter from Gorton, of the like contents with the former, and told them plainly they were prepared for them, etc. Being come near, they found they had put themselves all into one house, which they had made musket-proof with two flankers. But by the mediation of others of Providence, they came to parley, and then offered to refer their cause to arbitrators, (alleging that we were parties, and so not equal judges,) so as some of them might be of Providence or of Aquiday, and offered their cattle for security to abide the order, etc. Our commissioners, through importunity of themselves and others of Providence, were content to send to us to know our minds about it. Their letter came to us, when a committee,

appointed by the general court, were met about the tidings of Miantunnomoh's death; so calling into us five or six of the elders who were near at hand, we considered of the motion, and agreed that it was neither seasonable nor reasonable, neither safe nor honorable, for us to accept of such a proposition. 1. Because they would never offer us any terms of peace before we had sent our soldiers. 2. Because the ground of it was false, for we were not parties in the case between the Indians and them, but the proper judges, they being all within our jurisdiction by the Indians and English their own grant. 3. They were no state, but a few fugitives living without law or government, and so not honorable for us to join with them in such a course. 4. The parties whom they would refer it unto were such as were rejected by us, and all the governments in the country, and besides, not men likely to be equal to us, or able to judge of the cause. 5. Their blasphemous and reviling writings, etc., were not matters fit to be compounded by arbitrament, but to be purged away only by repentance and public satisfaction, or else by public punishment.

And lastly, the commission and instructions being given them by the general court, it was not in our power to alter them; so accordingly we wrote to our commissioners to proceed, which accordingly they did, and approached the house, where they had fortified themselves, with trenches so near as they might fire the house, which they attempted two or three times, but they within quenched it. At last three of them escaped out and ran away, and the rest yielded and were brought to Boston, and were committed to the prison. It was a special providence of God that neither any of them nor of ours were slain or hurt, though many shot passed between them, but every man returned safe and hale." (2, 166)

"Here followeth a true Copie of a Letter written by the Governour of the Massachusets, in answer to the men of

Providence, of their Letter written unto him, in way of mediation for peace, which is here set downe verbatim, the Letter being extant under his owne hand.

Neighbours of Providence,

I Have received a Letter subscribed by four of you, whom I hear are not of the confederacie with Gorton, Holden, and the rest of that company, wherin as Mediators you intercede between them & us, in the differences now between us; the return of the Messenger is so hasty, that I cannot make a full answer to every thing you have mentioned in your Letter; only you may rest satisfied with this, that the Commission; and instructions given to the Commissioners now at Providence, was not rashly and inconsiderately drawn up; but by the mature advise of the wisest and godliest amongst us, assembled in a generall Court, which I have not power to reverse or alter; and for the justnesse of the Courts proceedings therein, you may doe well to take further notice, that besides the Title of Land, between the Indians, and the English there, there are twelve of the English, that have subscribed their names, to horrible and detestable blasphemies, against God, and all Magistracie, who are rather to be judged as Blasphemers, (especially if they persist therein) rather then that they should delude us, by winning time, under the pretence of Arbitration; I doubt not, but you well know, that we have often sent to them, to plead their title to the Land, and to make answer for their Blasphemies, and that we lately sent them safe Conducts for their comming, and returning, for all which we have received from them, nothing but storms, contempt, and revilings in the worst expressions they could cast them into; so that the promise of protection made by us to Pumham, &c. the vindication of Gods honour, and many reasons concerning our safety, have necessarily put us upon this course with them; notwithstanding which, if any of them will in peaceable manner, repaire unto us, under the conduct of our

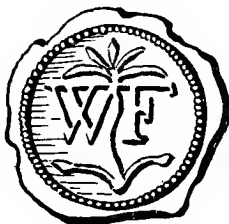
Commissioners, no violence shall be offered to them, by our souldiers there, and our justice here; but if they refuse, and offer violence, let the hurt they receive be upon their owne heads; further (which I had forgotten) where you say their offer of arbitration is faire, you may doe well to be better informed, and to know that the botome of it is easily founded, which is to win time, to discourage the Indians, under our subjection, and to give them time, and opportunity, to stir up (as much as in them lieth) the other Indians against us; for to whom would they referre their matters? to your selves whom we know not, but have just cause to feare, in respect of your vicinitie unto them, and your now mediation for them; and to those of Road-Iland, divers of whom we know too well, to referre any matters unto; the best office you can performe unto them, is to perswade them to attend their owne safety, by yeelding to the lawfull demand of our Commissioners, from which as I said before I cannot vary. So I rest

Your loving Neighbour,
IO: WINTHROPE.

Boston 8.3, 1643.

Now after the enterchange of these Letters, between the men of Providence and the Governour of the Massachusets, which we at the present were ignorant of, when certaine dayes were expired, the Messengers sent by the Commissioners into the Massachusets to acquaint them with our Propositions, returned, which we perceive by their shooting off of Guns at his comming: And the first thing we discerned in them, they sent out and gathered all our Cattle together, and tooke them into their owne custody, sending two souldiers unto us to give us notice, that the time of truce was expired, and that our Propositions could in no cause be accepted or imbraced by the Massachusets; we then desiring to speak with the Captain and the officers, they utterly denied to have any speech with us; but immediatly in-

trenched themselves, and the same day gave fire upon us; whereupon to shew our allegiance to the State of old England, we hung out the English colours, which they perceiving shot the more violently against us, shooting the colours many times, through and through: Now when the Messenger from the Massachusetts returned, coming through the Towne of Providence, two of the men of Providence came along to Shaw-omet, to see how things were carried, and what the newes was at his returne; and however the Commissioners would not speak with us; yet the men of Providence went unto them, & had speech with them, whom they warned to come no more unto us, upon their perill, for they were resolved of their course; therefore who ever came neer unto us, they would take them for their enemies: For when the Governour and Assistants of the Massachusetts perceived that the Commissioners had declared their errand unto us in plainer termes then, then they intended it should have beene; they thought to make the house we were in our grave, was the best way to vindicate the moderation of their equall Justice towards us, as plainly appeared by their practise, and course held concerning us.” (Gorton 44-46)



Seal of William Field

XXI

THE SIEGE OF SHAWOMET

THE Massachusetts troops thereupon began the attack which is related as follows by Gorton:

“Here followeth a true Copy of the testimony of the two men of PROVIDENCE who came to SHAW-OMET at the return of the Messenger out of the MASSACHUSETTS verbatim, extant under their own hands.

WE testifie that upon the return of the Answer, from the Bay, the Captain refused the former offer of appeale to England, or Arbitration in the Country, with the said Samuel Gorton and his company, but immediately dissolved the truce, and the same day proceeded to give fire upon them.

RICHARD SCOT

WILLIAM HARRISSE.

And so continued for divers days together in their fierce assault, the Sabbath [October 8] approaching, we imagining they would not have continued their assault upon that day, and were very confident that they would go about no such work upon the night before the Sabbath; being we knew well that they held the Sabbath begins in the evening going before, and that they had no lesse ground for it then Master Cottons judgment; as also that it was one of their laws that the breach of the Sabbath is to be punished with death. Now what they may judge the killing of their Countrymen causlesly upon that day is, whether to keep or break the Sabbath, we leave to all men to judge.

But contrary to our expectation, early in the morning, having prepared their fire-works, they attempted to burn

the house wherein we were, seconding their fire with the discharge of above four hundred shot against us, according to the Souldiers account, who afterwards told us how many shots they had made that morning, according to the emptying of their bandaleers; all which time they told us Captain Cook stood behind such a great white oak tree, whom we heard encouraging his souldiers to come on with courage, thinking himself in safety, and so he was, for we discharged not a Gun that morning, nor of al the time of their seige, but only two in the night time at random, to scar them from working their trenches neer unto us; for we had concluded to take away the lives of none of our Countrymen, unlesse they offered to enter violently upon us, which we only fitted our selves to prevent such assault, or else that we were forced out upon them by the firing of our house; only we perceived our words to be shot good enough to keep them aloof. For we called cheerfully upon the Captain to come on and bring up his men; for he should find vs very cheerfull spirits to deal with, and that we would make him as good a Sabbath days breakfast as ever he had in his life; our care was only to quench the fire which they had laid to the wall before we were aware; But we saw the wind took the flame so from the wal that it kindled not upon the house; when the day began to break Captain Cook called to the souldiers to go on with a fresh assault; but we heard some of his Souldiers deny to come on again, being the fire took not; and the day beginning to be light they thought we might shoot from the house at some certainty; we called on the Captain to animate his soldiers, for we understood (we told him) his charret wheels began to drive very heavy, and were in danger to fall off, and that was all the violence we offered to our Countrymen in this their so eager an assault, though we heard the Captain in the beginning of it, give strict charge to the souldiers that they should not let one escape alive, but to put all to the sword, thinking the fire would have taken, and

so we have been a prey for them: But however we discharged not a peece against them, being loth to spill the blood of our Countrymen, though to the hazard of our own lives, yet were we well provided and could easily have done them much hurt; only stood upon our defence, so as they durst not make entry upon us: afterwhich assalt they sent back into the Massachusets for more ayd: But in the mean time another parley was procured wherein we consented to go down into the Massachusets upon Composition to prevent the spilling of blood, which we could no longer refrain in the defence of our selves, they having approached so neer unto us; The condition whereof was this, that we should goe along with them, as free men, and neighbours, as though such passages had never been betwixt us, which the Captain and his Company consenting unto, beat up the Drum, and gathered his souldiers together, seeming joyfull that things were so concluded; whereupon the Captaine desired to see our house, which request we lovingly imbraced, thinking he intended to refresh himselfe and his souldiers with such provisions as we had, before we set out upon our journey towards the Massachusets; but no sooner was he come into the house, but contrary to the Articles of our agreement, he seized upon our Armes, using us as captives, and presently carried us away, not suffering us to dispose of any of our goods, that were in or about our houses, having not so much as a servant left behind, and so left them all as pillage to the Indians, the Captain giving charge unto the souldiers, that if any of us spake a word in our journey, to give any of them discontent, that they should presently knock us downe, and if they saw any of us step aside, out of the place designed unto us, that they should run us through and he would beare them out, in that their action. And withall they drove away our cattle into the Massachusets, dividing and disposing of them amongst themselves; only some of them they had disposed of to such of their subjects, as lived near unto

us, who had been instruments and assistants unto them, to bring about and effect this worke. The number of cattle which they took from us was foure-score head, or thereabouts, besides Swine and Goats, which they, and the Indians, lived upon during the time of their siege, also breaking violently into our houses, taking away our corne with other provisions provided for our Families to live upon.

Here followeth an other Testimony, of divers of the men of Providence, given under their hands, set downe here verbatim, for the clearing of these matters; which writing is extant.

Providence this present Ianuary the 30.th. 1644.

We whose names are here under written, Inhabitants of the town of Providence in the Nanhyganset-Bay in New-England, being requested by Samuel Gorton, Randal Houlden, John Wickes and John Warner, with divers others of our courtrey men, to testifie what we know concerning their late sufferings, from the Bay of the Massachusets, we take our selves bound in conscience, to answer their request, and in a word of truth, impartially to witnesse.

First, that our Countrey-men aforesaid, were peaceably possessed of a Plantation, at Shaw-omet, amongst the Natives, some ten or a dozen miles beyond this Towne of Providence.

Secondly, that the Bay of Massachusets, sent up through this Towne of Providence, one Captain Cooke, and his company, in warlike manner, who actually assaulted, and besieged our foresaid Countrey-men, who stood upon their own defence.

Thirdly, that the wives and children, of our fore-said Countrey-men upon these hostile courses were affrighted and scattered in great extremities, and divers since are dead.

Fourthly, the said Captaine Cooke and his company, carried captive our fore-said Countrey-men through this Towne of Providence, to the Bay of Massachusets.

Fifthly, Their goods, cattle, houses, and plantations were seized upon, by the fore-said Captain, and his company; the cattle were part killed by the souldiers, and the rest by Agents from the Bay disposed of, and driven away to the said Bay of Massachusetts.

RICHARD SCOT.	WILLIAM BARROWES.
WILLIAM HARRIS.	IOSHUA WINSSOR.
WILLIAM FIELD.	IOHN FIELD.
STUTLEY WASTCOTE.	THOMAS ANGEL.
HUGH BEWIT.	WILLIAM REIGHNALDS.
THOMAS HARRIS.	ADAM GOODWIN."

(Gorton 47-51)

In marginal notes Gorton adds many items of the suffering of various individuals during this campaign.

According to Winthrop the victorious army arrived at Boston on October 13, and legal proceedings were soon opened. (2, 171.) A warrant was issued for those who had escaped capture at Shawomet, as follows:

"By the Genrall Court Comission, & power is hearby given to you Willi: Arnold, Benedict Arnold, Willi: Carpenter, Richrd Tasmore Christo: Hawksworth & Stephen Arnold & to all, & every of you to apprhend the bodies of John Green & his sonne John, Richrd Waterman, & Nicho: Power, & bring them to Boston before the Govrnor, or some other of the magistrates to bee pceeded wth according to justice, & (if neede, or occasion bee) you may take ayde, or any other English, or of those Indians, wch are under or jurisdiction, & that you seize all such Cattle of the said John Greens (wch cannot now bee found) as you may hear-after find, & either send them to us, or keepe them safe till wee can send for them, for all wch this shalbee your sufficient discharge

Boston the 20th of the 8th mo 1643:

pr Cur Increase Nowell Secret" (Mass. Arch. 2, 16)

At the General Court held in Boston 17 October 1643

"Richrd Collecot, Edward Fuller, John Cauldwell, & Rich: Smyth are appointed to fetch the Cattle from Providence" (M. C. R. 2, 37), and at this same session the Shawomet settlers except Shotten, who had died, and Greene, who according to tradition had escaped, were tried. Eight of the ten were sentenced to imprisonment; while the other two, Waterman and Power, retained their liberty and returned to Providence.

The records of the expenses of the expedition against Shawomet are as follows:

At the General Court held 17 October 1643,

"The Treasurer was ordered to satisfy Capt. Cooke for the souldiers, for Thom: Parris, the surgeon, 40shs.

Mr John Bulkeley 40shs, Sergeant Samu: Greene 3£ Leift Atherton & Edward Johnson, five pound a peece.

Capt Cooke teñ pounds prt of the 20£ in his owne hands." (M. C. R. 2, 40)

and:

"It is ordered, that all such Cattle of Samu: Gortons, John Gre[ens,] as have bene seized, or shalbee seized, for the satisfaction of [the] charges as the Country hath bene put unto by sending to [. . .] fetching them in, & other charges about the tryall in the [Court,] & expences in the prison, or otherwise, shalbee appraised [and] sould to the most advantage, & disposed of accordingly, & the overplus to bee reserved, by the treasurer towards their maintenance." (M. C. R. 2, 41)

and:

"For appraising the Cattle brought from Providence the pr[isoners] have liberty to name two, Robrt Turner & the souldiers two, [the] Cort one, the prisonrs refusing, the Cort, Robrt Turnr, & the [oth]ers chose mr Colebron, John Johnson, & Willi: Parks." (M. C. R. 2, 41).

"If the souldiers did kill Stewkley Wasket a lamb the [treas]urer is to alow for it." (M. C. R. 2, 41)

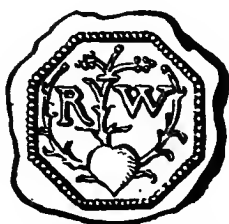
"October 1643

Captaine Cooke and his Company left unpaid to mee and Charged it upon Massachusetts or the Courts account	£	s	d
	15	18	10
I have receivd of Captai Cookes chargs spent at my house, paid me by mr Richard Calicut	£	s	d
Item 5 yearlings at 40./shilings apeice	10	00	00
Item 4 Calves at 20./shilings apeice	04	00	00
	14	00	00
Hee left unpaid of Captains Charges and mr Calicuts owne and his mens expences to mee	02	18	08
There is also due to mr Coles for the Captaines expenses,	03	00	00
Item to William Carpenter for labor and time spent	00	14	10
Item to Richard Chasmore for labor and time spent	01	06	08
Item to Christopher Haweshurst for labor and time spent	00	18	00
This sum unpaid is	08	18	02
Due more for time spent for 2 men to fetch 2 great nets from Showomut to my house and drying of them			
done by mr Calicuts order,	00	07	06
for dryveing of about 14, head of Cattle of old Greens that we seized by vertue of the Courts Comission the wch Cattle were rescued from us,	01	00	0
more This some totall unpaid also is	01	07	06
total	10	5	8
of which mr Coles received 3 Calves tht were of old Greene's	3	00	0
Rest,	07	05	08"

(Mass. Archives 2, 19)

At a meeting of the Court of Assistants of Massachusetts Bay held at Boston 5 December 1643:

"It was Ordered that John Johnson the Surveyor should take out of the Cattell which came from Providence, the money disbursed for that Company, & undertaking, which is twenty five pounds three shillings & nine pence, as per perticulers." (2, 135)



Seal of Robert Westcott

XXII

THE SUBMISSION OF THE NARRAGANSETTS

[1644]

GORTON thus relates the way in which the Narragansetts in 1644 came to submit to King Charles of England:

“Now upon our comming to Road Iland, the Indians of that great Countrey of the Nanhyganset hearing of our return without the losse of our lives, they wondred, having observed the causelesse cruelty they had offered unto us, some of them being within the hearing of the shot of the Guns, whilst they lay intrenched against us, as also how we were used in the Massachusets, and the constant report, whilst we lay amongst them, that some of our lives should be taken away, or else kept as slaves so long as we lived; considering these and the like things they marvelled much at our deliverance and release, from amongst them: Now our countrey men having given out formerly, amongst the Indians, that we were not English men, to encourage them against us (because the awe of the English, hath been much upon them) and being they could not father the name of any Sectary, or Sect upon us, but we could clearly demonstrate, we were no such opinionated persons, they then called us Gortoneans, and told the Indians we were such kind of men, not English: now the Indians calling the English in their language Wattaconoges, they now called Gortonoges, and being they had heard a rumour of great war to be in Old-England, and that it was a land so furnished with multi-

tudes of people, they presently framed unto themselves a cause of our deliverance, imagining that there were two kinds of people in Old-England, the one called by the name of English men, and the other Gortonoges; and concluded that the Gortonoges were a mightier people then the English, whom they call Wattaconoges; and therefore the Massachusetts thought it not safe to take away our lives, because how ever there were but a few of us in New-England, in comparison of those that came out against us, yet that great people, that were in Old-England would come over, and put them to death, that should take away our lives from us, without a just cause.

Whereupon the Sachims of the Nanhyganset consulting together, presently sent Messengers unto us, to come and speake with them, and being they were those of whom wee had bought our Land (which now the Massachusetts had taken away from us,) as all that inhabite upon that Bay have done) they being very importunate to have us to come over to speak with them, we not knowing what the occasion was, yeelded unto their request, a matter of halfe a dozin, or seven of us took boat to goe over the Bay to them, they seeing the vessell come, newes was brought to the Sachim, who sent aband of lusty well armed men, who met us, as soon as we were come to Land, to conduct us to old Sachim Conaunicus his house, multitudes of Indians, as we passed along, coming forth, and seemed joyfull, which we taking notice of, (neither the one nor the other being usuall amongst them) some of us began to be a little jealous, that the Agents of the Mssachusetts, who lived near unto us, had gone about to betray us into their hands, upon some false suggestion concerning the death of the Sachim Myantonomy, who lost his life immediatly before the Massachusetts came against us; and however he was suddenly slaine by an Indian coming behind him, as he marched upon the way, yet there were English present at

the doing of the act, which we were a little jealous, the above-said Agents might have suggested, that we might be consenting thereunto, which all the Indians tooke for a most injurious act, not onely because he was so famous a Prince amongst them, but also how ever he was taken in a stratagem of warre by the Indians, yet a great ransome was paid for his Redemption, and his life taken away also, and they are very consciencious to recompense the shedding of blood, (especially of such personages) with blood againe: But when we were come to the old Sachims house, we were courteously entertained, and from thence conducted to the house of Sachim Pessecus, Brother, and successor in government to the late Myantonomy, when we were there, divers Sachims, and their chiefe Counsellors, took us a side to consult with us, and asked what we intended to doe, or how we could live, seeing the Massachusetts had not onely taken our estates from us in goods and chattels, but also our houses, lands and labours, where we should raise more, for the preservation of our Families, and withall told us that their condition, might (in great measure) be paraleld with ours, else they would willingly have done any thing for our helpe, in regard that our Land was bought of them, and we had faithfully paid them for it, according to our contract: But they told us, they had not only lost their Sachim, so beloved amongst them, and such an instrument of their publick good; but had also utterly impoverished themselves, by paying such a ransome for his life, (as they then made us an account of) notwithstanding, his life taken away, and that detainee also; we made answer unto them, that for our parts, we were not discouraged, in any thing that had befallne us, for we were subjects to such a noble State in Old-England, that however we were farre off from our King and State, yet we doubted not but in due time, we should have redresse, and in the mean time we were resolved, to undergoe it with patience, and in what way we could, labor with our hands, for the pres-

ervation for our wives and children: the answer that they made unto us was this, That they thought we belonged to a better Master than the Massachusets did: whereupon, desiring our stay, they called a generall Assembly, to make known their minds, and to see the minds of their people, and with joynt and unanimous consent, concluded to become subjects to the State and Government of Old-England, in case they might be accepted of; we told them, we could promise them nothing, nor take any ingagements upon us, not knowing the minds of that Honourable State; but if they would voluntarily make tender of themselves, as they themselves thought meet, we would endeavour to convey it safely (in case we went over about our own occasions) and bring them word what was the pleasure of the State therein; whereupon they chose four of us, as Commissioners in trust for the safe custody, and conveyance of their Act and Deed unto the State of Old-England.

The Act and Deed of the voluntary and free submission of the chiefe Sachim, and the rest of the Princes, with the whole people of the Nanhygansets, unto the government and protection of that Honourable State of Old-England, set down here verbatim, the Deed it selfe being extant.

KNOW ALL MEN, Colonies, Peoples and Nations, unto whom the same hereof shall come; that we the chiefe Sachims, Princes or Governours of the Nanhyganset (in that part of America, now called New-England) together with the joynt and unanimous consent of all our people and subjects, inhabitants thereof, do upon serious consideration, mature and deliberate advise and Counsell, great and weighty grounds and reasons moving us thereunto, whereof one most effectuall unto us, is, That noble fame we have heard of THAT GREAT AND MIGHTY PRINCE, CHARLES, KING OF GREAT BRITAIN, in that honorable and Princely care he hath of all his servants, and true and loyall subjects; the consideration whereof moveth &

bendeth our hearts with one consent, freely, voluntarily, and most humbly, to submit, subject and give over our selves, Peoples, Lands, Rights, Inheritances, and Possessions whatsoever, in our selves and our heires, successively for ever, unto the protection, care, and government of that WORTHY AND ROYALL PRINCE, CHARLES, KING OF GREAT BRITAIN AND IRELAND, his Heirs and Successors for ever, to be ruled and governed according to those ancient and honourable Lawes, and customs established in that so renowned Realme and Kingdome of Old-England; we doe therefore by these Presents confesse, and most willingly, and submissively acknowledge our selves to be the humble, loving, and obedient servants, and subjects of His Majesty to be ruled, ordered, and disposed of, in our selves and ours, according to his Princely wisdom, counsel, and lawes of that honourable State of Old-England, UPON CONDITION OF HIS MAIESTIES ROYALL PROTECTION, and righting of us in what wrong is, or may be done unto us, according to his honourable Lawes and customs, exercised amongst his subjects, in their preservation and safety, and in the defeating, and overthrow of his, and their enemies; not that we find our selves necessitated hereunto, in respect of our relation, or occasion we have or may have with any of the natives in these parts, knowing our selves sufficient defence, and able to judge in any matter or cause in that respect, but have just cause of jealousie and suspicion, of some of His Majesties pretended subjects: Therefore our desire is to have our matters and causes heard, and tried according to his just and equal Laws in that way, and order His Highnesse shal please to appoint; NOR CAN WE YEELD OVER OUR SELVES UNTO ANY, THAT ARE SUBIECTS THEMSELVES IN ANY CASE, having ourselvs bin the chiefe Sachims, or Princes successively, of the countrey, time out of mind, and for our present, & lawful enacting hereof, being so farre remote

from His Majestie, we have by joynt consent made choyse of four of his loyall and loving Subjects; our trusty and well beloved friends, Samuel Gorton, Iohn Wickes, Randall Houlden, and Iohn Warner, whom we have deputed, and made our lawfull Attur nies, or Commissioners, not only for the acting and performing of this our Deed, in the behalfe of His Highnesse: but also for the safe custody, carefull conveyance, and declaration hereof unto his grace, being done upon the Lands of the Nanhyganset, at a Court or Generall Assembly called and assembled together of purpose, for the publick enacting, and manifestation hereof: And for the further confirmation, and establishing of this our Act and Deed; we the above-said Sachims, or Princes, have according to that commendable custome of English-men, subscribed our names, and set our Seales hereunto, as so many Testimonies of our faith and truth, our love and loyalty to that our dreed Sovereigne, and that according to the English mens account. Dated the nineteenth day of April, One thousand six hundred forty foure.

Pessicus his Marke, Chiefe
Sachim and Successor of
that late deceased Myantonmy.





The Marke of that Ancient
Conaunicus, Protector of
that late deceased Myantonmy,
during the time of his nonage.



The Marke of Mixan, son
and heir of that above-said
Conaunicus.



Indians {	Witnessed by two of the chiefe Counsellors to Sachim Pessicus	
	Auwashoose his Mark	
	Tomanick his Mark	

Sealed and delivered in the presence of these persons

English {	Christopher Helme.
	Robert Potter.
	Richard Carder.

Here followeth a Copie of a Letter sent to the Massachusetts, by the Sachims of the Nanhygansets (shortly after their subjection to the State and Government of Old-England) they being sent unto by the Massachusetts, to make their appearance at their Generall Court, then approaching.

We understand your desire is, that we should come downe into the Massachusetts, at the time of your Court now approaching; our occasions at this time are very great, and the more, because of the losse (in that manner) of our late deceased brother, upon which occasion, if we should not stirre our selves, to give Testimony of our faithfulnessse unto the cause, of that our so unjust deprivation of such an instrument, as he was amongst us, for our common good, we should feare his blood would lie upon our selves; so that we desire of you, being wee take you for a wise people, to let us know your reasons why you seeme to advise us as you doe, not to goe out against our so inhumane, and cruell adversary, who tooke so great a ransome to release him, and his life also, when that was done. Our Brother was willing to stirre much abroad to converse with men; and wee see a sad event

at the last thereupon: Take it not ill therefore, though we resolve to keepe at home (unlesse some great necessitie call us out) and so at this time doe not repaire unto you, according to your request: And the rather because we have subjected our selves, our Lands and Possessions, with all the right and inheritances of us and our people, either by conquest, voluntary subjection, or otherwise, unto that famous and honourable government, of that Royall King Charles, and that State of Old-England, to be ordered and governed according to the Laws and Customs thereof; not doubting of the continuance of that former love that hath been betwixt you and us, but rather to have it increased hereby, being subjects now, (and that with joynt and voluntary consent) unto the same King and State your selves are: So that if any small thing of difference should fall out betwixt us, only the sending of a Messenger may bring it to right againe; but if any great matter should fall (which we hope and desire will not, nor may not) then neither your selves nor we are to be Judges, but both of us are to have recourse, and repaire unto that honourable and just Government; and for the passage of us or our men, to and againe amongst you, about ours or their own occasions, to have comerse with you, we desire and hope they shall have no worse dealing or entertainment then formerly we have had amongst you, and do resolve accordingly to give no worse respect to you or yours, then formerly you have found amongst us, according to the condition and manner of our countrey.

Nanhyganset this present, May the 24, 1644.

PESSICVS



his Marke

CONAVNICVS



his Marke."

(Gorton 82-86)

The tomahawk, which appears in the above as given by Gorton, as the mark of Canonicus is probably an error for the inverted tau cross, which appears as the mark of Canonicus on the Act of Submission. The manuscript copy of this letter, now in the Massachusetts Archives has the tau cross as the mark of Canonicus.

After the liberation of the Gortonoges, and the formal submission of the Narragansetts to the King of England, Pomham and Socononoco, fearing an attack from the Narragansetts, sought protection from Massachusetts.

On 29 May 1644, "The Cort taking into consideration the present condition of Pumhome, & Sacanonoch, & their freinds, that are joyned to them, & their men, that belong unto them, of what dangerous consequence it might be unto us; if we should altogether neglect them, & leave them to the cruelty, & bluddymindednes of the Naragansets, these two Sachims haveing sent unto us, for ayde, if we faile them, we breake or Covenant wth them, wherby the name of god will suffer, & religion wilbe evill spoken of, & the whole nation wilbe odious in their sight; besides it will prbably cause not onely them; but all the rest of the Indians, that have put themselves under or jurisdiction, & consequently prtectio to fly of from us, & to fall to or enemies, & set themselves against us. The Cort therefore doth desire, that there may be fourthwth ten English men well armed sent unto them, according to the Sachims request, & that they may there build the Indians a strong house of pallizado, & be a guard unto them, for such a season, as shalbe agreed of, the Indians finding them victualls, wch they have prmised to do." (M. C. R. 2, 55)

Oliver Payson Fuller in "The History of Warwick" (1875) p. 25 says in a footnote: "Tradition locates this fort on the east bank of Warwick Cove, nearly opposite the Oakland Beach grounds on the estate of John Holden, Esq. What



POMHAM'S FORT

are supposed to be the remains of it may still be seen there. It would command the entrance to the cove; while in the rear there is said to have been an almost impenetrable marshy thicket to protect it from that direction."

The trees have been cut down and the shrubbery cleared away, but the almost impenetrable marshy ground with its pools, brooks and bogs still remain as do the greater part of the earthworks. These remains are on the point of land on the east side of the cove just north of the railroad bridge that connects Warwick Neck and Oakland Beach.

"Now before the assembling of the next generall Court, in regard the Indians had expressed themselves as above we heard, there were feares and jealousies raised up in the minds of the people, of the Massachusetts, and other of their united Colonies, as though there was some danger of the Nanhygansets comming against them to doe some hurt unto them: So that when we heard their Court was assembled, we writ unto them, as follows.

A true Copie of a Letter sent to the Massachusetts, at a generall Court held shortly after the submission of the people of the Nanhygansets, unto the State of Old-England, by the Commissioners put in trust, for the further publication of their solemne Act.

These are to let you understand, that since you expelled us out of your Coasts, the Sachims of the Nanhyganset have sent for certaine men of the Kings Majesties subjects, and upon advised Counsell amongst themselves (a generall Assembly being called of purpose for that end) they have joyntly voluntarily, and with unanimous consent, submitted and subjected themselves, with their Lands and Possessions inherited by lineall discent, voluntary subjection, right of Conquest, purchase or otherwise, what ever lands or priviledges appertain and belong unto them, unto that honourable and famous Prince Charles, King of Great Britain, and

Ireland, in that renowned State and Government of Old-England, to be ruled and ordered, according to those honourable Laws and Customs, in themselves and their Successors for ever, which is performed and done, in that solemn, durable, and commendable custome of Record, under divers and severall hands and seals, witnessed sufficiently, both by the Natives and English, solemnly delivered and received on His Majesties behalfe, holding correspondencie with the Laws and Customs of that honourable State of Old-England in all points: We thought good therefore to give notice hereof, at your generall Court now assembled, that it may serve to informe your selves, and all your united Colonies, of the performance of this Act done, without any further pains or trouble, that so not our selves only, that are eye and ear witnesses hereof (but you also) may follow our occasions and imployments, without any extraordinary care, or feare of the people above-said, to offer to make any in-road, or give any assault upon us: But with that indignity offered and done unto their Sovereign, which cannot be borne, nor put up, without a sharpe and Princely revenge; nor may we upon the like penalty, offer to disturb them in their bounds and territories, in their ordinary and accustomed imployments among themselves, or with any of their neighbouring Natives, whose grounds of proceed causes and occasions are better known unto themselves, then we can be able to judge of. But if either you or we find any thing amongst them too grievous to be borne; they not making any violent assault upon us, we know whither, and to whom we are to repaire, and have recourse for redresse, as we tender our allegiance and subjection unto our King and State, unto which they are become fellow subjects with our selves; and therefore of necessity his Majesties Princely care must reach unto them. Furthermore, that it may appeare, that our dealings towards you, and all men, have been, and shall prove just, and true, whatever your dealings may, or

have manifested themselves to be towards us: Know therefore, that being abroad of late about our occasions, we fell to be where one of the Sachims of that great people of the Mauquogges was, with some of his men, whom we preceive are the most fierce and warlike people in the countrey, or continent where we are, furnished with 3700. guns, men expert in the use of them, plenty of powder and shot, with furniture for their bodies in time of warre, for their safety, which other Natives have not; we understand that of late they have slain a hundred French, with many Indians, which were in league with the French, putting many of them to cruell tortures, and have but lost two of their own men; these being as we understand deeply affected with the Nanhygansets, in the losse of their late Sachim, unjust detaining also of so great a ransome, given and received for his life, and else, are resolved (that if any people offer to assault them in their accustomed courses amongst the Natives, or seeking after their ancient rights and priviledges, not offering wrong to any of His Majesties subjects, nor violating their subjection to that Noble State, which they seem to respect, and much to adore) to wage warre with them unto the uttermost, which it seems is the very spirit of that people to be exercised that way, which as we desire to make use of it our selves, so doe we hereby give notice to you also, to make the best use of it unto your selves in all your Colonies united.

June the 20th, 1644.

By us the true and lawfull owners of Shaw-omet.

JOHN WARNER SECRET."

(Gorton 86)

XXIII

THE ARRIVAL OF THE CHARTER

[1644]

ROGER WILLIAMS having obtained a charter in England, sailed for New England, and arrived at Boston 17 September 1644.

Under the date 7, 17 (17 September 1644) Winthrop wrote:

“Here arrived also Mr. Roger Williams of Providence, and with him two or three families. He brought with him a letter from divers lords and others of the parliament, the copy whereof ensueth.

Our Much Honoured Friends:

Taking notice, some of us of long time, of Mr. Roger Williams his good affections and conscience, and of his sufferings by our common enemies and oppressors of God's people, the prelates, as also of his great industry and travail in his printed Indian labours in your parts, the like whereof we have not seen extant from any part of America, and in which respect it hath pleased both houses of parliament freely to grant unto him and friends with him a free and absolute charter of civil government for those parts of his abode: and withal sorrowfully resenting, that amongst good men (our friends) driven to the ends of the world, exercised with the trials of a wilderness, and who mutually give good testimony each of other, as we observe you do of him, and he abundantly of you, there should be such a distance; we thought it fit, upon divers considerations, to profess our

great desires of both your utmost endeavours of nearer closing, and of ready expressing of those good affections, which we preceive you bear each to other, in the actual performance of all friendly offices; the rather because of those bad neighbours you are like to find too near unto you in Virginia, and the unfriendly visits from the West of England and from Ireland: that howsoever it may please the Most High to shake our foundations, yet the report of your peaceable and prosperous plantations may be some refreshing to

Your true and faithful friends,

NORTHUMBERLAND,	P. WHARTON,
ROB. HARLEY,	THOS. BARRINGTON,
WM. MASHAM,	OL. ST. JOHN,
JOHN GURDON,	ISAAC PENNINGTON,
COR. HOLLAND,	GIL. PYKERING,
J. BLAKISTON,	MILES CORBET.

To the Right Worshipful the Governour and Assistants and the rest of our worthy friends in the plantation of Massachusetts Bay, in New England.” (2, 236)

Among those families that accompanied Williams was presumably that of Gregory Dexter, who in 1643 had printed at London Roger Williams’ “Key into the Language of America”, which book is the one referred to in the above letter.

The Rev. William Hubbard (1621–1704) wrote in regard to this letter:

“Upon the receipt of the said letter the governour and magistrates of the Massachusetts found, upon examination of their hearts, they saw no reason to condemn themselves for any former proceedings against Mr. Williams; but for any offices of christian love, and duties of humanity, they were very willing to maintain a mutual correspondency with him. But as to his dangerous principles of separation, unless he can be brought to lay them down, they see no reason why to concede to him, or any so persuaded, free liberty of ingress

and egress, lest any of their people should be drawn away with his erroneous opinions.

He had so much interest sometimes with the people of Rhode Island, as well as Providence, as to be chosen their governour, (whether before or since his obtaining the charter, specified in the letter above, is not much material,) but for the most part he hath contented himself with a private and retired life; nor will his outward estate admit of any other; on which account he hath many times been an object of charity to divers persons of the Massachusetts, that way disposed." (M. H. S. C. 2, 6, 349)

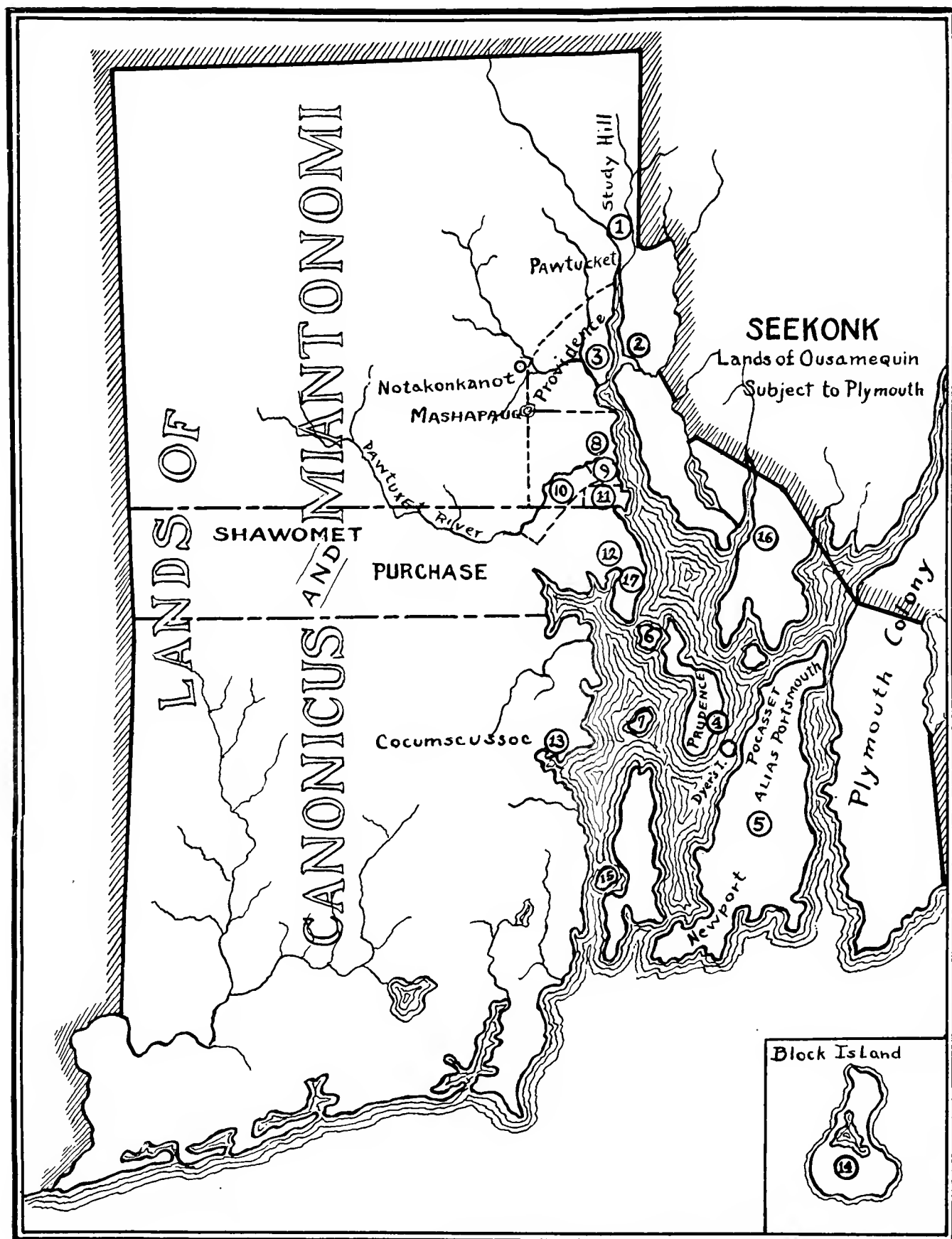
The following account of Williams' arrival at Providence, written by his enemy, Richard Scott, has been preserved to us:

"And there he got a Charter: and coming from Boston to Providence, at Sea-conck the Neighbours of Providence met him with fourteen Cannoes, and carryed him to Providence. And the Man being hemmed in in the middle of the Cannoes, was so Elevated and Transported out of himself, that I was condemned in my self, that amongst the Rest I had been an Instrument to set him up in his Pride and Folly." (Fox. 2, 247)

"W[h]ereas by an Ordinance of the Lords and Comons now Assembled in Parliament bearing [date] the 2d day of November Anno Dom 1643 Robert Earle of Warwicke, is Const[it]uted and Ordained Governor in Cheife and Lord high Admirall of all those Islands, and other Plantations inhabited, and Planted by or belonging to any his Matie the King of Englands subjects, or which hereafter may be Inhabited, and Planted by or belonging to them, within the bounds or upon the Coasts of America, And whereas the said Lords have thought fitt, and thereby Ordained thar Phillip Earle of Pembroke Edward Earle of Manchester William Viscont Say and Seale Phillip Lord Wharton, John Lord Roberts, members of the house of Peares Sr Gilbert

Gerrard Sr Arthur Haselrig Baronets Sr Henry Vaine Junior Knight, Sr Benjamine Rudyard Knight John Pym Olliver Cromwel Denis Bond Myles Corbet Cornellius Holland Samuel Vassal John Rowle and William Spurstow Esqrs members of the house of Comons should be Comissionrs to joyne in aide, & Assistants with the said Earle. And whereas for the better Governmt & defence of the said Plantations, it is hereby Ordained, that the aforesaid Governor, & Comissionrs or the greatest Number of them shall have power & Authority from time to time to Nominate appointe & Constitute, all such subordinate Governors Counsellors Comandrs officers, & Agents as they shall judge, to be best affected & most fitt & serviceable for the said Islands and Plantations, & to provide for Order, & dispose all things wch they shall from time to time finde most fitt & Advantageous for the said Plantations, & for the better securitie of the owners, & the Inhabitants thereof to Assigne & Ratify & Confirme so much of their fore mentioned Authority & power & in such manner, & to such prsons as they shall Judge to be fitt for the better Governing & prserving, of the said Plantations & Islands from open violence & private disturbances & distractions. And whereas there is A tract of land, in the Continent of America aforesaid Called by the name of Naragansets Bay Bordering North & North East on the Pattent of Massachusetts East & South East on Plymouth Pattent South on the Ocean & on the West & North West Inhabited by Indians Called Nahigganzuks alias Naragansets the whole tract extending about twenty five English Myles unto Pequot River & Countrey: And whereas divers well Affected, & Industrious English Inhabitants of the Townes of Providence Portsmouth, & Newport in the tract aforesaid, have Adventured, to make a nerer neighborhood & sociaty, with that great body of the Naragansets wch may in time by the blessing of God upon their endeavors Lay a surer foundation of hapines to all America; & have

purchased, & are purchasing of & amongst the said Natives some other Places, wch may be convenient both for Plantations, & also for building of shippes, supply of pipe staves & other merchandise. And whereas the said English have, represented their desire to the said Earle & Commissioners to have their hopeful beginnings approved & Confirmed, by granteing unto them a free Charter of Civil Incorporation and Governmēt that they may Order and Govern their plantations in such manner as to maintaine Justice & peace both amongst themselves & towards all men with whome they shall have to doe. In due Consideration of the premises the said Robert Earle of Warwicke & Governor in cheife Lord high Admiral of the said plantations, & the greater Number of the said Commissioners whose names & seales are here under written, & subjoynd out of a desire to Incourage the good beginnings of the said plantations, doe by the Authority of the aforesaid Ordinance of the Lords & Commons give grante & Confirme to the aforesaid Inhabitants of the Townes of Providence Portsmouth & Newport, A free & absolute Charter of Civill Incorporation to be knowne by the name of the Incorporacon of Providence Plantacons in the Naragansetts Bay in New England together with full power & Authority to Govern & rule themselves, & such others as shall hereafter Inhabite within any part of the said tract of land by such a forme of Civil Governmēt as by voluntary consent of all or the greatest part of them shall be found most suteable to their Estates & Conditions, & to that Ende to make & ordaine such Civil Lawes & Constitutions & to Inflict such punishmēt upon Transgressors, & for execution thereof so to place & displace officers of Justice as they or the greatest part of them shall by free consent agree unto. Provided neverthelesse that the said Lawes Constitutions & punishmēt for the Civil Governmēt of the said plantacons be Conformable to the Lawes of England so farr as the nature & Constitution of the place will admitt. And allwayes



EARLY SETTLEMENTS ABOUT NARRAGANSETT BAY
and the modern boundary of Rhode Island.

- | | | |
|-------------------------------------|----------------------------|--|
| 1. William Blackstone. | 8. Pawtuxet. | 14. Oldham. Massachusetts Bay |
| 2. Williams' Settlement in Seekonk. | 9. Williams sold to Coles. | claimed by conquest. |
| 3. Williams and others. | 10. Benedict Arnold. | 15. & 16. Dutch trading stations. |
| 4. Williams and Winthrop. | 11. John Greene Senior. | 17. Pomham's Fort. |
| 5. Coddington and others. | 12. Gorton and others. | 8, 9, 10, 11, 12, & 14 were claimed by |
| 6. & 7. Roger Williams. | 13. Williams and Smith. | Massachusetts Bay. |

reserving unto the said Earle & Comissionrs & their Successors power & Authority for to dispose of the generall Governmt of that, as it stands in reference to the rest of the plantacons in America, as they conceive from time to time most conducing to the Genrall good of the said plantacons the honor of his Matie & the service of this state. And the said Earle & Comissionrs doe further Authorize the aforesaid Inhabitants for their better transacting of their publique affaires to make, & use a publique seale as the knowne seale of Providence plantacons in the Naragansetts Bay in New England In testimony hereof the said Robert Earle of Warwicke & Comissionrs have hereunto sett their hands & seales the fouerteenth day of March, in the nineteenth yeare of the Reigne of our Sovereigne Lord Charles & in the yeare of our Lord God 1643.

ROBERT WARWICKE

PHILLIP PEMBROOKE

HENRY VAINÉ

SAY AND SEALE

SAMUEL VASSELL

PHILLIP WHARTON

JOHN ROLLE

ARTHUR HASELRIG

MYLES CORBETT

CORNELIUS HOLLAND

WILLIAM SPURSTOW"

(State Paper Office, London. The original charter is no longer extant. There are four copies with variations in text. The other copy in the State Paper Office seems to have been made later than the one printed above. The copy in the R. I. Land Evidence contains several serious errors, while the copy on Providence Town Paper 03 has some errors and is defective in places. Hopkins in 1765 seems to have normalised the P. T. P. copy, and later writers have based their work on one of the above-mentioned copies)

In regard to the receipt of the Charter, Williams wrote in the letter to Major Mason, already quoted:

"I went purposely to Engl: & upon my Report & Petition, the Parliamnt granted us a charter of Govrmt for these

Parts (so judged vacant on all hands) And upon this the Countrey about us was more friendly & wrote to us & treated us as an authoriz'd Colony: Only the differences of our Consciences much obstructed." (M. H. S. M. 161. G. 15 M. H. S. C. 1, 1, 278)

In regard to the bounds established by the Charter, Williams wrote:

"The Bounds of this our first charter I (having ocular Knowledge of prsons, places & transactions) did honestly & Conscientiously (as in the holy presence of God) draw up from Pawcatuk River, wch I then believed & still doe is free from all English claimes & Conquests. For although there were some Pequots on this side the River, who by reason of some Sachims mariages with some on this side, lived in a kind of Newtralitie with both sides: Yet upon the breaking out of the war, they relinquished their Land to the possession of their Enemies, the Nahiggoniks & Nayantiks, & their land never came into the Condition of the Lands on the other side, wch the English by conquest challenged: So tht I must still affirme (as in Gods holy presence) I tenderly waved to touch a foote of tht Land in wch I knew the Pequot wars were maintained, & were propley Pequot being a gallant Countrey: And from Pawcatuk river hitherward being but a patch of Ground (full of troublesome Inhabitants) I did as I judged inoffencively draw our poore & inconsiderable Line.

'Tis true when at Portsmouth on Rode Iland, some of ours in a Gen: Assembly, motioned their planting on this side Pawcatuk: I (hearing tht some of the Massachus reckoned this Land theirs by Conquest,) dissuaded from the Motion untill the matter should be amicably debated & composed: For though I questioned not our Right &c yet I feard it would be inexpedient & offensive & procreative of these Heats & Fires, to the dishonr of the Kings Matie & the dishonr & blaspheming of God & of Religion in the eys of the English & Barbarians about us." (ibid)

There were probably two reasons why the newly chartered colony was called "Providence Plantations". The first was because the town of Providence was the oldest settlement in the colony; and the second, because there was considerable uncertainty as to what would be the permanent name or names of the other settlements. The first settlement on Aquidneck was called Pocasset in 1638. This settlement was divided in 1639, and a second settlement was made and called Newport. The name of Pocasset was changed to Portsmouth. Subsequently the two towns united, and were known as Aquidneck or the towns on Aquidneck. On 13 of 1st month, 1644 (13 March 1643/4), the day before the granting of the Charter, and hence too late to be incorporated in the document, the official name of the island was formally changed to Rhode Island. (R. I. C. R.)

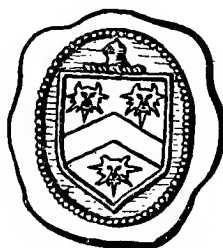
The destruction of the early records makes it impossible for us to tell how soon after the arrival of Williams the inhabitants of Providence adopted their new charter. That it was adopted by Providence before 19 January 1645/6 is evident from the subscription of the so-called "25 acre men", who promised on that date "to yield Active; or Passive Obedience, to the Authority of King, & Parliament, established in this Collonye; according to our Charter;" (P. R. 2, 29)

It would seem natural, that the charter would be adopted at a meeting held very soon after its arrival, and the ovation with which Williams was received, showing the popular interest in it, would point strongly to such action. It would also seem natural and likely, that Williams would be elected the "chiefe officer" of the colony, and this was probably the case for he held that position in the following August, (1645).

In a letter from the General Assembly of the Colony of Providence Plantations, dated 13 March 1657/8, is the following comment on this Charter:

"Now wheras freedom of Differant Conscionces, to be protected from inforcemts. was the princeple grownd of our

charter, both with respect to or humble sute for it, as also to the true intent of the Honorable and renowned parleiment of England in graunteinge of the Same unto us: which freedom we still price as the greatist hapines that men can poses in this world." (R. I. C. R. 1, 69)



Seal of John Clark

XXIV

COLONY OF PROVIDENCE PLANTATIONS — THE STRUGGLE TO MAINTAIN THE CHARTER, — THE TREACHERY OF CODDINGTON, — THE MACHINATIONS OF MASSACHUSETTS BAY AND PLYMOUTH, — INDIAN NEGOTIATIONS

[1643-1647]

IN regard to the acceptance of the charter, Gorton wrote: "as also, that we denied all civill Magistracie, because we could not yeeld to their authority, to be exercised in those parts where we lived, (that place being above foure and twenty miles out of their bounds) which we should not once have questioned, if we had beene within the compasse of their jurisdictions, as it well appeared by our carriage, all the time we were amongst them, as also by our sundry appeals unto this state, which have been denied unto us; yea, and since that great favour granted, and given unto that people of Providence plantations, in a late Charter of civill government, from this State, our humble respects unto al such authority, hath been made manifest to all men: not only in our unanimous and joyfull imbracing of it, but also some of us by the generall vote of the whole Colonie, have been chosen into the place of Judicature, for the orderly execution of the authority of the Charter; yea, some of us that are now here present, at the publication hereof:". (Gorton 52)

William Coddington, the Governor of the towns upon Aquidneck, was an able and ambitious politician, and the

head of a powerful faction at Newport. On 5 August 1644 he wrote to Winthrop:

"Now the treuth is I desire to have either such Aliance wth yor selves or Plimouth one or both as might be safe for us all I having theese intrest the Island it being bought to me & my friends, and how inconvenient it might be if it were possessed by an Enemye lying in the heart of the plantations & convenient for shiping. I cannot but see but I want both Counsell & strength to effect what I desire I desire to heare from you & that you would bury what I write in deepe silence for what I write I never [. . .] to [any,] nor would to you, had I the least doubt of yor faythfullnes that it should be uttered to my prjudice." (Mass. Arch. 2, 5. N. H. M. 3, 3.)

The following item in regard to this plan of Coddington's is preserved in the records of the United Colonies of New England, under the date of 19 September 1644.

"Some of the Inhabitants of Roade Iland haveing intimated a willingnes to be received into and under the Government of one of the Colonies. The Commissionrs considering that by an utter refusall, they may by the discords and divisions among themselves, be exposed to some greate inconvenyences, & hopeing many of them may be reduced to a better frame by govrment, thought fitt that if the major pt & such as have most interrest in the Iland will absolutely & wthout reservacōn submitt either the Massachusetts [or] Plymouth may receive them." (P. C. R. 9, 33)

These dark schemes of Coddington again come to light in the letter of 11 November 1646, wherein is shown his opposition to the charter. Subsequently his schemes developed further and resulted in the disruption of the Colony in 1651.

In the letter to Winthrop dated 11 November 1646 Coddington wrote:

"by whome I receaved yor letr of the 21 of the 8.46. for Gorton & his Companye they are to me as ever they haue bene, their freeDom of the Island is Dennyed, & was when I

accepted of the place I nowe beare. the Co^mishoners haue Joyned them in the same Charter, tho we mentayne the Governmtt as before. to further that end yow write of, I sent to Mr Cotton to be Deliuered to Mr Elott, yt requested it, wt was entered upon record under the Seceretaryes hand, wch I Doe think yow may Doe well to mak vse of, because I heare it sinkes most wth the Earle, wher they had libertie of consyence." (Deane, 41)

From this it appears that Coddington continued to hold the office of Governor, and with his followers attempted to maintain at Newport the government as it existed before the arrival of the charter. It also appears from this letter that Commissioners had been chosen, who met and acted under the Charter in the new government established under the authority of the Charter.

Coddington submitted to the Charter Government in or before May 1647, and at the election held then was chosen to the office of Assistant, doubtless the price paid him for peaceably acknowledging the new government. He appears to have submitted to it only outwardly, for by the following year he had induced a majority of the inhabitants of Portsmouth to join him in his intrigues.

In regard to the adoption of the Charter by Warwick, Gorton in 1646 wrote:

"So that we abode still upon the Iland, and followed our employments, untill such time as there appeared amongst us a Charter of civill government, granted by the State of Old England, for the orderly, quiet, and peaceable government of the people inhabiting in those parts of the countrey, called Providence Plantations, in the Nanhyganset Bay, which Charter being joyfully imbraced, and with all expedition, an orderly and joynt course was held for the investing of the people into the power and liberties thereof unanimously, for the exercise of the authority, in the execution of Lawes, for the good and quiet of the people, which thing

gave great incouragement unto the Planters, to goe on in their employments, hoping to enjoy their lawfull rights and priviledges without disturbance, which the Massachusets, together with Plymouth, understanding, they go about by all means to discourage the people, by their endeavouring to weaken, and invalid the authority of the Charter, in the eyes of the countrey, intrenching upon those places, to frustrate and make void the Charter, as by maintaining their Coadjutors, as aforesaid in opposing of us, giving them order to set up writs upon our houses, where formerly we lived, prohibiting all men for entermedling with those Houses, Lands, Peoples, either English or Indians (which they call their own people) without their consent and approbation in those parts, which all plainly fall within the confines of the fore-named Charter, and far out of all their jurisdictions." (Gorton 89)

Winslow replying to Gorton's narrative gives the following testimony in regard to the action taken in the Colony of Providence Plantations soon after the arrival of the Charter:

"In pag. 91. Hee taxeth Plimouth to joyne with the Massachusets to frustrate their Government by vertue of their new Charter. 'Tis true, wee would have had the Massachusets to have the seat, and rendred a reason to the State of their proceedings, knowing as before that Mr. Gortons journey was for evill and not for good: but they being then taken up with more weighty concernments neglected it: but Plimouth did then petition the right honourable Robert Earle of Warwicke the Governour in chiefe of the English plantations in America and the rest of that honourable Committee joyned in Comission with him, that wee might enjoy our ancient limits of Government granted in our letters Patent, and withall shewed that their Charter for the limits of it now granted, was contained within our line of Government: and trust I shall now receive answer. Tis true also that we sent Mr. John Brown furnished with these following instruction to signifie to all that were interested in that new erected

Government as followeth by Commission given at New-Plimouth, Nov. 8, 1644.

1. That a great part of their supposed Government is within the line of the Government of New-Plimouth.

2. That wee assuredly knew that this ever to bee honoured House of Parliament would not, nor will when they shall know of it, take from us the most ancient Plantation, any part of the line of our Government formerly granted; it being contrary to their Principles.

3. To forbid them and all and every of them to exercise any authority or power of Government within the limits of our Letters Patents.

4. To certifie them that Coweeset is not onely within the said limits, but that the Sachim thereof and his sonnes have taken protection of this our Government. And therefore to forbid them to enter upon any part of his or their lands without due order and leave from our Government.

Now these instructions were signed by the Governour. And Mr. Browne going to Roade Island for this end came very seasonable when a publique meeting was appointed for your new Magistrates and people, (but as he reported, for a most vile end; viz, to take into consideration a new disposall of the lands formerly given out, as if some had too much and some too little, and for no respect of persons, and their estates was to bee laid aside.) And here note that Mr. Coddington, Mr. Brinton, &c. that we at Plimouth had speciaall eye to, when wee commended them thither, abhorred their course, abstained from their meetings, looked upon themselves as persons in great danger, and bemoaned their condition to divers their friends, being now overwhelmed with cares and feares what would bee the issue of things. And note that now also Mr. Samuel Gorton that before had suffered so much by authority for his evill doing, and was come to deny it and preach against it, being now by these Inhabitants called to place, accepts it, and became a Magis-

trate amongst them, &c. But whereas hee intimates, as if Mr. Browne had onely done his message (according to his instructions) in a private way from house to house, therein hee wrongs him: for hee did it publicquely in the place of their Assembly, who were so daunted at it as they brake up, and did no act intended for that day, as hee related it: but some would have had him imprisoned, others punished, others sent to the Dutch and so for England." (Winslow 82)

Gorton wrote:

"And as they thus goe beyond their bounds, not only to intrench upon the liberties and labours of their countrey men, (but also upon that authority transferred upon that people by the State of Old-England, for the quiet and peaceable ordering and government of themselves) not only in Providence and Shawomet, but likewise upon Road-Iland, both in Portsmouth, and Newport, specified in the Charter; the Colonie of Plimouth joyned in league with the Massachusets, to such ends and purposes, sent their Messengers to Road-Iland, as namely, one Master John Brown, an Assistant in government amongst them there, who went from house to house (both in Portsmouth and Newport) discouraging the people for yeelding any obedience unto the authority of the Charter, giving them warning (as from the Court of Plimouth) not to submit unto any government that was established by vertue of a late pretended Charter, (as he very presumptuously called it) nor unto any other authoritie, or government, but only such as was allowed and approved of by them, although formerly they have many times confessed and acknowledged both by Word and Writing, that it was out of their Jurisdictions, without which acknowledgment, the people would never have adventured to lay out their estates, and to have planted themselves and families in those parts, some of them having too great and costly experience of Plimouths dealings with their countrey men, to be such as may be fitly paraleld with the dealings of the Massa-

chusets, and their practice springing from the same spirit, hath brought them into league and band, when they were clearly manifested each to other, who before at the time of their first Neighbour-hood there, they were at a distance, and stood aloof, one from the other, as each thinking I am holier than thou, the men of Plimouth, comming thither from Amstersdam, and the other out of hot persecutions of the Bishops in Old England." (Gorton 91)

Previous to the entry dated 3-14 (14 May 1645) in his Journal, Winthrop records:

"The government of Plimouth sent one of their magistrates, Mr. Brown, to Aquiday Island to forbid Mr. Williams, etc., to exercise any of their pretended authority upon the Island, claiming it to be within their jurisdiction.

Our court also sent to forbid them to exercise any authority within that part of our jurisdiction at Patuxent and Mishaomet; and although they had boasted to do great matters there by virtue of their charter, yet they dared not to attempt any thing." (2, 270)

The efforts of John Browne on behalf of Plymouth were of little avail for before 9 August 1645 Newport, and presumably Portsmouth also, had adopted the new charter, as the following document shows:

"Our much Honnored Friends and countrymen,

Our dew respects & Love promised.

Having lately received a Writinge from the Right Worshipfull your Counsell deeply Concerning yourselves & us wee pray your favourable attention to our Answer.

First a Civill Government wee honnor and Earnestly desire to live in for all those good Endes, which are attainable thereby, both of publique and private nature.

This desire caused us humbly to sue for a Charter from our Mother State, Not that formerly or now, wee Approve & honnor not your Civill State & Government but as wee believe your Consciences are persuaded to Govern our

Soules as well as our bodies; yourselves will say we have Cause to Indeavour to preserve our Soules & liberties, which your Consciences must necessarily deprive us of, & either Cause great distractions & Molestations to yourselves & us at home, or Cause our further Removalls & Miseryes.

Thirdly wee cannot but wonder that beinge Now found in the posture of Government from the same Authority, unto which you & wee equally Subject, You should desire us to forbear the Exercise of such a Government, without an Expresse from that Authority directed to us

And wee the rather wonder, because our Charter, as it was first graunted, & first established, Soe was it also Expressly signified unto you all, in a Letter from divers Lords & Commons (at the Comeinge over of our Charter) out of a loving respect both to yourselves and us.

Besides you may please to be Informed that his Excellencie the Lo: Admirall, hath lately divers times bene pleased to owne us under the Notion of Providence Plantations. And that he hath signified unto us (which wee can show you in writeinge) the desires of Plymouth to Infringe our Charter, but his owne favourable Resolution, not onely to maintaine our Charter to his uttmmost power, but allso to gratifye us with any other favour, &c.

In all which respects wee see not how wee may yield ourselves delinquents & lyable to answer in your Counteray as your writinge to us Seemes to importe, why wee cast not away such noble favour and grace unto us.

It is true that divers Amongst us Expresse their desires of Composeinge this Controversie between yourselves and us, but Consideringe that wee have not onely receaved A Challenge from yourselves but allsoe from Mr. Fenwick, allsoe from Plymouth, and allsoe from some in the name of the Lord Marcus Hamilton (of all such claimes we never heard until the Arrival of our Charter) we Judge it necessary to Imploy our Messengers & Agents unto the head & foun-

taine of all these streames, & there humbly to prostrate ourselves and cause for A small Centence & determination.

And this wee are Imediately prepareinge to doe without any secret reservations or delays, not doubteinge but yourselves will rest Sattisfied with this our Course, And in the Interim Allthoug you have not bene pleased to Admit us into Considerations of what Concerne the whole Countrey, as you have done others of our Countrey men, Yet we cannot but humblie professe our readynesse to Attende all such friendly & neighbourly Courses, & Ever rest

Yours Assured in all services of Love,

The Colonie of Providence Plantacons assembled at
Newport 9th: 6 Mo. 1645.

HENR WALTON, Secr." (Mass. Archives 2,
7, Field 1, p. 79)

On 27 August 1645 Massachusetts Bay wrote to Williams:

"Sr wee receaved lately out of England a charter from the Authority of the high courte of Parliament beareing date 10th December 1643 whereby the Narragansett Bay & a certaine tract of land wherein Providence & the Iland of Quidny are Included wch wee thought fitt to give yow & other our Country men in those prts notice of tht yow may forbear to excercise any Jurisdiccon therein otherwise to appeare at our next Gennerall Courte to be holden the first 4th day of the 8 month to shew by what right yow claime any such jurisdiccon for wch purpose yorself & other yor Neighbors shall have free liberty to come stay & retourne, as the occacon of the said Buisnes shall require: Datd at Boston in the Mattatusetts 27: 6 mo. 1645. To Mr Roger Wms, of Providence by order of the counsell.

INCREASE NOWELL, Sect." (M. C. R. 3, 48)

In his letter to Major Mason, already quoted, Williams wrote:

"6. [. . .] Some time after the Pequet War & our Charter from the Parliamnt, the Govrmnt of the Massachus: wrote

to my selfe (then chiefe officer in this Colony) of their receaving of a Pattent from the Parliamnt for these vacant Lands, as an Addition to the Massachus: &c & thereupon requiring us to exercise no more Authoritie &c for, they wrote, their charter was granted some few weekes before ours. I returned, what I believe Righteous & Waighthy, to the hands of my true friend Mr. Winthrop (the first Moover of my Comming into these parts) & to tht Answer of mine I never recd the least Reply: Only it is certain tht at Mr Gortons complaint agnst the Massachus: the Lo: high Admiral (Presidnt) said openly in a full meeting of the Comrs, tht he knew no other Charter for these parts then what Mr Williams had obtained, & he was sure, tht Charter wch the Massach English men pretended had never past the Table." (M. H. S. M. 161, G. 15., M. H. S. C. 1, I, 278)

It would appear that in August 1645 Roger Williams was "chiefe officer" of the newly chartered colony, that Henry Walton was its secretary, and that Commissioners had been elected, of whom Samuel Gorton was one, doubtless the representative of the then uninhabited town of Shawomet.

After the murder of Miantonomi, the Narragansetts began to prepare for a war against the Mohegans, in order to avenge the death of their Sachem. Gorton wrote:

"whereas the Indians, of our knowledge hold themselves bound, to revenge the blood of their Prince, it being so unlawfully (in their eyes) taken away; nay, they are not quiet in themselves, unlesse they doe revenge it, or else spill their own, in their endeavours thereafter; in the mean time they are in a continued act of mourning, as we know, for the space of one whole year, and an halfe, they mourned continually, not only by blacking their faces, in token thereof; but every day their mourning women, morning and evening upon their knees, with lamentations, and many tears along time together, as our selves have been eye-witnesses, when we have had occasions amongst them, and in houses that were

more publick, where the wife and children of the diseased Prince were, there did a man continue a speech (during the time of the womens praying, sighing and lamenting with abundance of tears) declaring what their losse was in being deprived of such a Sachim, and how wrongfully it was done by the enemy, as also how they were all of them ingaged to revenge his blood, else would it so lie upon their own heads, as to bring more miseries, and evils upon them:" (Gorton 92)

The Mohegans were in close alliance with, and under the protection of, the United Colonies, and so Massachusetts Bay and Plymouth were prepared to stand by them against the Narragansetts. It looked as if another Indian war, similar to the Pequot war, was about to occur.

At this juncture in 1645, Roger Williams, always a friend of the Narragansetts, and at this time chief officer of the newly-chartered Colony of Providence Plantations made a treaty of neutrality with the Narragansetts in case war should occur between them and the Mohegans and English.

"They brought us also a letter from Mr. Roger Williams wherein hee assures us the warr would prsently breake forth and that the Narrohigganset Sachims had lately concluded a Neutrallity with Providence and the Townes upon Aquidnett Iland." Meeting of Unit. Col. 28 July 1645 in P. C. R. 9, 45)

On 15 August 1645 a body of soldiers left Plymouth to march against the Narragansetts and a second detachment was sent 23 August. (P. C. R. 2, 122)

Miles Standish was apparently in command, for Winslow wrote:

"And for Captaine Standish, this I heard him relate, that being at the place of Rendezvouze, before the Massachusetts Forces came, observing that some of the Inhabitants of Providence received the Indians into their houses familiarly, who had put themselves also into a posture of Armes, and

the place within a mile of Secunck or Rhehoboth where Captaine Standish lay; hee sent to Providence, and required them to lay aside their neutrality, and either declare themselves on the one side or other: For the warre being once begun, hee would not beare with their carriage in entertaining, furnishing, and relieving the common enemy, but would disarm them, &c. And whether necessity put him not upon this course, or no, let the Reader judge." (p. 85)

The Commission issued 19 August 1645 by the United Colonies to Major Edward Gibbons, commander of the Colonial soldiery, included the following "if you fynd any English Straglers traders or others whom you shall suspect to give intelligence or to furnish wth Armes or Amunition, or to give any other ayd to the Enemie, you may secure them or send them to Bostone." (P. C. R. 9, 51)

This order, it will be seen, was aimed directly against the inhabitants of Providence, the friends of the Narragansetts.

On 18 August 1645 Captain Harding, Mr. Welborne and Benedict Arnold were ordered to go to the Narragansetts. (P. C. R. 9, 54)

"Captaine Harding and Mr. Welborne returneing from the Narrohiggansets Sachems brought back the Present, and acquainted the Comissionrs, that they found not Benedict Arnold at Providence, and heard he durst not adventure himself againe amongst the Narrohiggansets Indians wthout a sufficient guard They also understand that Mr Williams sent for by the Narrohigganset Sachems was going thither, wherefore the[y] acquainted him wth their message, shewed him their Instruccōns, and made use of him as Interpretor." (P. C. R. 9, 54)

As a result of this mediation, war was averted and articles of peace were signed at Boston 27 August 1645.

A General Court, called under the Charter, was to be held at Portsmouth on 18 May 1647. It does not however appear to have opened until the next day, Wednesday, 19 May

1647. At this Court, officers were elected, a code of general laws was adopted and some special legislation enacted. The four towns, Providence, Portsmouth, Newport, and Warwick united in the government.

A gold mine was discovered in the colony, and a special session of the General Assembly was held in March 1648/9 to take possession of this mine. At this session a charter was granted to the town of Providence. (Chap XXVI)



Seal of John Greene, Jr.

TOWN OF PROVIDENCE — FROM THE ARRIVAL
OF THE CHARTER TO THE ADOPTION OF
THE CODE OF LAWS

[1644-1647]

WITH the acceptance of the Charter of 1643, the history of Providence as an unchartered Crown Colony comes to an end. Henceforth we must deal with the history of Providence as merely one of the towns in the Colony of Providence Plantations. From the aforesaid acceptance of the Parliamentary Charter until 14 March 1648/9 Providence was an unchartered town. On that date a charter of civil incorporation was granted by the Colony to the Town. During this period (1644 to 1649) the extant records are very meagre.

Under the date of 27 January 1644/5, there is the record of a number of transfers of land at Providence. 27 of 11 [January] 1644/5 Robert Morris sold meadow land to Edward Manton, and sold his home share to Robert Williams. William Reynolds sold his home share to Robert Williams, and land on Foxes Hill to William Field. Hugh Bewitt sold his home share to William Hawkins. William Field sold land on Foxes Hill to William Wickenden. Ezekiel Holliman sold land to John Field. William Reynolds sold land at Renolds Point to John Greene, and Hugh Bewitt sold a home share (which had formerly been Holliman's) to the Town of Providence. (P. R. 2, 4-6)

At the "moneth Court" held "14th of the 2 moneth"

[April] 1645, record was made of the sale of land by William Field to Thomas Olney. (P. R. 2, 7)

Sometime between 25 May 1641, when William Arnold was one of the five Disposers (see Chap. XV), and 14 April 1645, when mention is made of the month court being held before the Town Deputies, a change was made in the form of government, the five Disposers, established by The Combination of 27 July 1640, being superseded by two Deputies. These Deputies are again mentioned 27 February 1647. (P. T. R. 2, 14-67)

Soon after his return with the Charter, Williams seems to have built a trading house in Narragansett at Cawcawms-quissick, where he spent a large part of his time, although Providence continued to be his legal residence.

We have also fragmentary records of the administration of two estates. Adoniah Morris, administrator of the estate of his brother, Robert Morris, before 4 August 1645, became involved in a suit with Christopher Hauxhurst (P. T. P. 05); and William Man, Town Clerk of Providence, on 27 January 1646/7 issued a notice to the administrators of the estate of Edward Cope. (P. T. P. 07)

Edward Cope's estate not having been settled in 1647, it was "Ordered that Mr. Thockmorton shall have the house and land that was Edward Cope's, or the land that is to be laid out with 2 shares of Meadow & that he shall either bring in a discharge for the Town from the Creditors of the said Edward Cope, or else that the said John Thockmorton shall pay into the hands of the Deputies of the Town of Providence fifteen pounds in Wampum at or before the 15. of May next ensuing and shall thereupon have sufficient warrant for the peaceable enjoyment of the said house lands & Meadow. the 27, of February 1647." (P. T. R. 2, 146-7)

In the warrant of 21 of 12 mo. [December] 1646 mention is made of the "Towne howse". (P. T. P. 08) The following records show the location of this early "Towne howse".

"The 27 of the 11th moneth 1644 Hugh Bewet Sould unto the generall People of the Towne of Providence his houses and home share of ground Bounding upon the land of Richard Waterman on the north on the land of Stukly Westcot on the south on the east with the Comon on west with the highe way." (P. R. 2, 7), and:

"The 25 of the 10th m 1647 (so called)

At our Towne meeting lawfully warned Robert Williams is chosen moderatour of this present assembly. ordered that Hugh Bewit shall have his house and lot restored to him and he is to restore to Every man their moneyes Received within these 12 months, as also reserving to the Towne liberty to meet in the sayd house these 18 months, wch he also promiseth." (Rider Coll. Brown Univ.)

A comparison of these items with the maps and data in Hopkins' "The Home Lots of the Early Settlers of the Providence Plantations" will lead to the conclusion that this Town House must have been located just east of the present North Main Street and just south of the entrance to the street-car tunnel.

On the 19th of January 1645/6, twenty-five acres of land were granted to a number of the inhabitants of Providence but this grant did not include any "privillidge of Vote".

"The 19th: of the 11:th Month 1645

Wee Whose Names are heereafter subscribed, having obeyned a free Grante of Twenty five Akers of Land apeece, with Right of Commoning, according to the said proportion of Land; from the free Inhabitants of this Towne of Providence; doe thankfully accept of the Same; And heereby doe promise to yeild Active, or Passive Obedyience, to the Authority of [* King, & Parliament] established in this Collonye; according to our Charter; and to all such wholesome Lawes, & Orders, that are or shall be made, by the Major consent of this Towne of Providence; As alsoe not to clayme any Righte, to the Purchasse of the said Plantation; Nor any

privillidge of Vote in Towne Affaires, untill we shall be received, as free Men of the said Towne of Providence:

[JOHN STILE]

[RICHARD HARKERT]

JOHN BROWNE

PARDON TILLINGHAST

[WILLIAM × VAUGHAN]

JOHN × JOANES.

[JOHN ELDERKIN]

THOMAS CLEMENCE

WILLIA FENNER

GEORGE SHEPERD

[THESE]

the mark × of ROBERT

ROBERT PYKE

MATHURIN BELLOU

THOMAS. × WALROIN.

LAWRENCE × WILKINSON

DANIEL × CUMSTOCKE

BENIMEN

SMITH

JOHN SMITH × his marke.

JOHN CLAWSON. his marke. ×

THOMAS SUCKLIN his marke ×

BENJAMIN HERDEN his marke ×

[× THOMAS WESTONE]

[his marke.]

[ABNER ORDWAY]

[JAMES LEONARD × his marke/]

EDWARD INMAN

HENRY REDDOCKE

SAMUELL BENNETT

EDWARD SMITH

JOHN FENNER

JON SAYLES

STEPHEN NORTHRUP

[so far as h]

DANIELL BROWN

EPENETUS OLNEY

JOH STEER

GEORGE × WAYE

[BARTHOLME × THRENEELES]" (P. R. 2, 29-31)

Some of these signers received their grants and affixed their signatures at a later date, as was done in the case of the

signatures on "The Combination" of 1640. The names in brackets have been crossed out. The manuscript alteration from "King & Parliament" to "The State of England", was probably made between 4 May and 29 September 1649, when a similar change was made in the form of the warrants, would seem more likely to have been made on a document to which people were still subscribing, than on a document which was simply the record of a past transaction.

On 9 February 1645 [1645/6] William Carpenter of Pawtuxet deeded land to William Field. (P. R. 3, 134)

There was a case between Thomas Angell and Robert West, which apparently began at least seven weeks before 27 August 1646 (P. T. P. 06), and in connection with it the following warrant was issued by Roger Williams:

"Providence 21 of 12. mont: 1646 (so calld)

These are in the name of King & Parliamt of England to require you whose names are hereunder written to appeare the next second day of the weeke by 9 of the clock at the Towne howse to give in Evidence & testimonie in a Case depending betweene Thomas Angel & Robert West

Robert Cole

Richard Waterman

William Field

ROGER WILLIAMS:

John Lippit

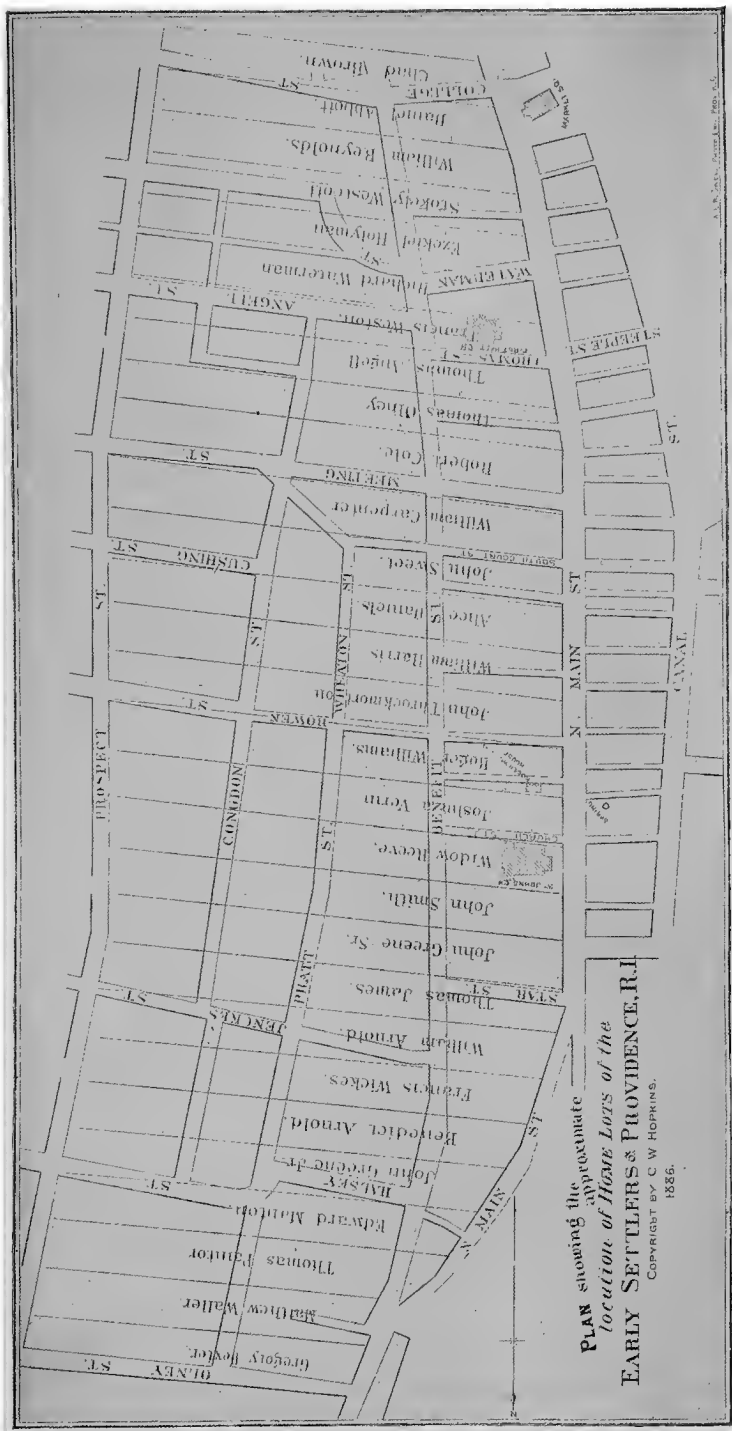
Tho: Harris

Christopher Haukehurst

Bethiah Waterman

To Tho: Hopkins Seargeant of Providence." (P. T. P. 08)

From the fact that this warrant was issued in the name of "King & Parliamt", it might be inferred that this case was being tried before the Colony Court to be held at the "Towne howse"; and not before a board of arbitrators, which latter system continued to constitute the town's legal procedure at least two years after this date; nor before the Town Deputies who were apparently established about this time. (see above)



The summons issued by the Town Clerk in 1648 (P. T. P. 014), and by the Town Deputies in 1649 (P. T. P. 027), were not issued in the name of "King & Parliamt" or "the honored State of England", as were the Colony warrants.

Inasmuch as subsequent warrants in 1649 (P. T. P. 023, 030, and 031) were signed by the President (chief officer of the Colony), or acting President, called Deputy President, or else issued from the office of General Recorder of the Colony, it would also appear that the warrant was a colony and not a town instrument, and that the one who signed it, was either "chief officer" or "acting chief officer" of the Colony. As no title is added to the signer's name in the warrant of 21 February 1646/7, it would seem probable that he was the "chief officer". The fact that Roger Williams was "chief officer" in August 1645, the preceding year, is significant, and his signature on this warrant of 1646/7 seems to show that he continued to hold this office in 1646 and 1647, probably until the General Assembly and election of 19 May 1647.

The fact that he did not preside or act as Moderator at the opening of that General Assembly does not militate against the theory that he held the office until that time, for the retiring President, Coggeshall, did not act as Moderator at the General Court of Election 16 May 1648, nor did the retiring President, Smith, act as Moderator at the General Court of Election held 23 May 1650.

From the warrant we learn that Thomas Hopkins was Sergeant of Providence in 1646/7, and that there was a Town House.

On 9 August 1646 Ousamequin of Pokanocket deeded to Roger Williams, and Gregory Dexter, on behalf of the Town of Providence a tract of land between Pawtucket and Loquuscut.

"Wapewasick, over against Portsmouth,
9th of 6th month 1646. (so called.)

This testifyeth, that I Ousamequin chiefe Sachem of

Paukanawket, for and in consideration of full satisfaction in wampum, cloth and other commodities received at present; doe give, grant, sell and make over unto Roger Williams and Gregory Dexter, inhabitants of Providence, together with all those inhabitants of Providence that hath or shall joyne in this purchase, with all my right and interest of all that parcell or tract of land which lies betweene Pawtuckqut and Loqusquscit, with all the meadowes, trees and appurtenances thereof, and after the . . .

And I doe hereby bind myself, my heires and successors, to maintaine all and every of their peaceable enjoyment of the foresaid lands from any other claime or bargain whatsoever. And I do hereby authorize Saunkussecit alias Tom of Wauchimoqut to marke trees and set the bounds of the land aforesaid . . . in case that great meadow at or about Loqusqusitt fall not within the bounds aforesaid, yet it shall be for them to enjoye the said medow forever; that without the bounds of the said tract of land, round about, it shall be lawfull for them to feede and graze their cattell, as allso to cut any medows for their use, though not put up houzes without further agreement . . . That . . . who hath an Indian field within the bounds aforesaid, shall either depart or secure his field from the English cattell. Witness my hand." (R. I. C. R. 1, 33.)

Ousamaquin however refused to sign the deed.

"Wapewasik, over against Portsmouth 10. 7. 46 so called. —

We, Gregory Dexter, Thomas Olney, Roger Williams and Robert Williams, in a word of truth and faithfulness declare, that being requested by the town of Providence, in our name and in their behalf, to buy the right which Ousamequin pretendeth to a parcel of land, which lies between our bounds at Pawtuckqut and an Indian plantation northwest from thence called Loquasuck, and knowing that our town had right to the

feeding and grazing of cattle upon the said parcel of land, by our grant of the Nanhygganset purchase before such times as they since released him of his subjection, as also, that it was upland, from the water and most of it barren and rocky, without meadow; so making a journey to Ousamequin's house, offered him but fifteen fathom of white wampum (it being a time when white wampum only was current, and which we knew he would accept) but he desired to have commodities and wampum, and, at last, we agreed upon ten fathom of white wampum, four coats of English cloth, six of the best English hoes, and English axes, and twelve great knives, which wampum and commodities, he desiring speedy payment, we went, all of us, over to Portsmouth, to procure the said wampum and commodities, he furnishing us with a canoe and a native, where some of us performed good service for him, in some controversies between the English and him. We brought him the wampum, which he accepted of, the coats also, which he accepted of, and received the cloth, choosing out of two parcels, but of twelve knives he chose eight, out of six hoes, he chose one, we promising to procure him the rest of the hoes and hatchets and knives to his liking, which he was fully content. Afterward going to sleep, he begged two coats of us, which we promised to give him; yet in the morning some of us refusing to sell him shot, as also all refusing to give him four coats more, he took forth our money and goods again to us, which we refused, not being willing to countenance such dealing in the barbarians, and having before, in their payments and a coat to his chancellor which he desired, and other small gifts unto them, laid out the value of about forty fathom of wampum, we were not willing to wrong our own country in granting his desire of four coats, and so unreasonably to raise the price of such parcels of land in this barbarous wilderness, and, therefore, we declare, that the said land, according to a fair and righteous bargain,

belongs to the town of Providence, the town paying to Ousamequin, as aforesaid.

ROGER WILLIAMS,
GREGORY DEXTER,

ROBERT WILLIAMS,
THOMAS OLNEY."

(Staples 566, also a variant in R. I. C. R. 1, 33)

"Richard Harcourt sells Thomas Angel his House Lott or home share & Houssing, which formerly belonged unto his Unkle Francis Weston and Lately he bot the rest of it of his aunt Margaret Weston which she had her Life in. Bounded on the North with Thomas Angel on the south with Richard Waterman on the Highway or Street on the West & one the Highway on the East. Deed dated 4th of Nov. 1646." (R. I. H. S. M. 10, 11)

"At or Monthly Court meeting as also being warned according to order the 1st, of the 1st. Month 1646 (so called) It was agreed that John Smith shall have the Value, whereon his house stans in case he set up a Mill as also Excepting sufficient high waies." (R. I. Land Evidence. 4, 54). The word "Value" in the above is transcribed "Valley" in "Ancient Documents relative to the Old Grist-mill", Providence, 1829. Smith soon set up a mill, and at a town meeting in 1673 it was recorded that there was "Laid out unto John Smith senr About the year 1647 tenn Acors mor or Lese At or about the place wheer the mill now standeth . . . " (P. R. 3, 114).

On 7 March 1646 [1646/47] William Arnold of Pawtuxet deeded land to his daughter Joane, wife of Zacariah Roades. The deed was signed and witnessed at Boston. (P. R. 1, 59)

At a general town meeting held at Providence 16 May 1647 ten men were chosen to represent the Town at the General Court of the Colony to be held at Portsmouth on 18 May 1647.

"To our loving and well-betrusted Freinds, and Neighbours — Gregory Dexter Wm Wickenden Tho: Olney

Rob: Williams Rich. Waterman: Roger Williams Wm Field: Jo: Greene. Jo: Smith: John Lippit

Wee the greatest part of the Inhabitants of this plantation of providence; having orderly choosen you at our Towne meeting, this 16 of the third month 1647 To appeare for us, at the generall Court of this Colonye, to be held at portsmouth, on Rode Iland, upon the 18 of this instant month, desiring the Lords providence, for yor safe Arivall there; We all voluntarily assenting, doe heerby, give you full power, and Authoritye as Followeth —

First, to A^cte, and Voate for us, respectively, or otherwise, as if we our selves were in person; for the setling of this generall Court for the present, and allsoe for the composing of it into any Figure for the future, as Cause shall require —

Secondly, to A^cte, and Voate for us as aforesaid, in the Choise of all Generall Officers, as neede shall require —

Thirdly, If the Generall Court shall consist but of 10 men for each Towne, then you are to a^cte accordinglye for this Towne And if the Generall Court shall be reduced into a fewer Number (which for divers Considerations we conceive may be for the best) Then we give you full power to choose out from amonge your Selves, such a Number of o[u]r loving Neighbours, as shall answer the same figure; unto whome, being orderly Choozen by you, we doe give you power, to transferr this our Commission, giving of them full power, to A^cte, and Voate for us the Inhabitants of this plantation, in all Generall Affaires; and for the setling of the Iland in peace and Union; And for all matters that shall Concerne this perticuler Towne; desiring a carefull respecte unto these insueing Instructions — But if the Court shall consist of 10 of each Towne, then our desires are, that this our Commission, with these insueing Instructions, may remaine intire in your owne hands —

First, that We may have a true Coppye of our Charter,

Assigned unto us by the Generall Court, for the proper use, and benifitte of our plantation —

Secondly, We doe voluntarielye Assent, and are freely Willing, to receive, and to be governed by the Lawes of England, together with the way of the Administration of them, so farr as the Nature, and Constitution, of this plantation will admitte; desiring (so farr as possibly may be) to hold a Correspondencye with the whole Colonye, in that Modell, that hath been lately shewed unto us, by or worthy Freinds of the Iland, if the Generall Court, shall compleate, and confirme the same; or any other Modell, as the Generall Court shall agree upon, according to our Charter —

Thirdly, We desire to have full power, and authoritye, to transacte, all our home Affaires, to trye all manner of Causes, or Casses, and to execute, all manner of Executions, intirely, within our selves, excepting such Casses, and Executions, as the Collonye shall be pleased to referr, to generall Tryalls and Executions &c —

Fourthly, We desire to have full power, and Authoritye, to Choose, ordayne, Authorize, and confirme, Al[l of] our perticular Towne Officers; and allsoe that the said Officers, shall be responsable unto our perticular Tow[ne,] And that there may be noe intermixture, of Generall & perticular Off[ices] but that all, may knowe th[eir]e bounds, & Limits —

Fifthly, We desire to have an exacte, & orderly way open, for Appeale unto Generall Courts; that so, if any shall be, justly greived, at any sentence passed, or otherwise, he, or they, may make their Lawfull Charge. (for releife) there —

Lastly, Whereas it was hinted, in that, which our worthy Freinds read unto us, that each Towne, should have a Charter of Civell [Inc]orporations apart, for the transactinge of perticular Affaries; If this Court shall proceede so farr, as to agitate, and order the same, then we give you full power on our behalves, to move, and procure any things, (besides these

Instructions) that in yor wisdome you conceive, may tend, unto the Generall peace & Union of the Colonye, and our owne perticular Liberties, and priviledges provided, you doe all or the most of you unanimously agree therein; And all-wayses reserving, our equall voats, and equall priviledges, in the Generall — Thus betrusting you wit[h] the premises; We committe you unto the protection, & direction of the Almightye, Wishinge you a comforta[ble] voyage, a happy successe, and a safe retourne unto us againe, Yor Thankfull Freinds and Neighbours

ROGER WILLIAMS Moderateur" (P. T. P. 09)

This John Smith who was chosen representative, was probably the one who later moved to Warwick. It appears that Moderators were elected to preside at the town meetings.

On 19 May 1647 the General Assembly passed the following resolution in regard to the town of Providence:

"6 It was ordered upon the request of the Comissioners of the Towne off Providence: that their second Instrucon should be granted & established unto them (vidgt) Wee do voluntarily assent, and are Freely willing to receive and to be governed by the Lawes of England, together wh the way of the administracōn of them soe farr as the Nature and Constitucōn of this Plantation will admitt, desiring (soe farr as Possible may be to hold a Correspondencie with the whole Colonie in the Modell that hath been Latelie shew'n unto us by our worthy Friends of the Iland, if the Generall Court shall Compleat and Confirm the same, or any other Modell as the Generall Court shall agree upon According to our Charter." (R. I. C. R.)

This enactment was apparently considered as a grant of local self-government, and two paragraphs later is referred to as "priviledges" (section 8). Roger Williams was chosen Assistant from Providence. (R. I. C. R. 1, 149)

By section 23 of the acts of the General Assembly of May 1647, it will be seen that Prudence Island and Pawtuxet were

not considered to be within the jurisdiction of the town of Providence. From this it would appear that the purchase of Prudence by Williams and Winthrop constituted that island an unchartered colony in itself, and not the dependency of either Providence or Massachusetts Bay, and that the division of Pawtuxet by the deed of 8 October 1638 made Pawtuxet an unchartered colony outside the jurisdiction of Providence. The Combination of 1640 defined the boundary line between Pawtuxet and Providence, and apparently it was considered that in the town of Pawtuxet the resident proprietors alone had the franchise. Upon this supposition, the Pawtuxet men's submission to Massachusetts Bay by a majority vote of the resident proprietors might easily be considered a legal act. Hope Island and Patience Island obtained by Roger Williams from the Indians before 1643 must have held a political position analogous to that of Prudence Island. The trading houses "of the Narragansett Bay" were by the Assembly of 1647 placed under the jurisdiction of Newport.

On 4 June 1647 the old Sachem Canonicus died (Winthrop 2, 376), and Williams, being sent for by him, closed his eyes (see Chapter VII).

TOWN OF PROVIDENCE — FROM THE ADOPTION
OF THE CODE OF LAWS TO THE GRANTING
OF THE TOWN CHARTER

[1647-1649]

APPARENTLY the inhabitants of Providence had been prone to express their opinions of each other rather too freely, and much hard-feeling and friction arose in consequence. In order to smooth over these affairs and put matters on a more amiable footing, the following document was drawn up:

“Considering: The greate Mercye afforded unto us, in this Libertye thus to meete togeather; being denyed to many of or Countrymen in most partes, especially in our poore Native Country, Now deploring their distressed Condition, in most sad & bloodie Calamities —

That Ungratitude & disacknowledgmts. of Favours receaved, are just causes, for the deprivation of them; Togeather wi[th] home devisions, & home Conspiracies, the Ruination of Famil[ies &] Towne & Countrye —

Moreover the many plotts, & present Endeavours at home, and abroade, Not only to dissturbe our peace, & Liberties; but utterly to rutte up, both Roote & Branch of this our Beinge —

That Governmt, held forth, through Love, Union, & Order, allthough by few in Number, & meane in Condition; yet (by experience) hath withstood, & overcome mightye Opposers And above all, the severall & unexpected deliverances of this poore plantation, by that mightye providence, who is still able to deliver us, through Love, Union, & Order.

Therefore being senceable of these greate & weightye premises, & Now mette together, to Consulte aboute our peace & Liberties, whereby our Families & posterities may still injoye these Favours

And that we may publickly declare unto all, the free discharge of our Consciencs & Dutyes, whereby it may appeare upon Recorde, That we are not willfully opposite, Nor carelesse & sencelesse, and thereby meanes of our owne & others, ruine & destruction

And especially in Testimonye of our fidelitie & Cordiall affections unto one another heere present; that so there may be a Currant, peaceable, & Comfortable proceedinge We doe faythfully & unanimously, by this our subscription promise unto eich other, to keepe unto these ensueing particulars —

First, that the foundation in Love may appeare amonge us What Causes of differences, hath heeretofore been given either by word or misbehaviour, in publicke, or private, Concerninge perticular, or Generall affaires, by any of us heere present, not to mention or repeate them in this Assemblye, but that Love shall cover the multitudes of them, in the Grave of Oblivion —

Secondly tht Union may proceede from Love, We doe promise to keepe Constant unto those severall Ingagemts. made by us both unto our Towne, & Colonye; And that to the utter most of our powers, & Abilities, to maintaine our lawfull Rights & privillidges, and to uphold the Governmt. of this plantation — Allsoe that Love may appeare in Union, We desire to abandon all causelesse feares & jealousyes of on another, Selfe-seekings & strivings one against another, Only aymeing at the generall & particular peace & Union of this Towne & Colonye

Lastly for our more Orderly proceeding in this Assemblye, whereby Love & Union may appeare in Order If in or Consultations

Differences of Judgmts. shall arise, then Moderately in Order through Argumentation, to Agitate the same; Considering the Cause, how farr it may be hurtfull, or conducing unto our Union peace & Liberties, and accordingly acte, not after the will, or person of any, but unto the Justice & righteoussnes of the Cause —

Againe, if in Case, such Causes shall be presented wherein such difficulties shall appeare, that evident Arguments can not be given for present satisfaction, but that either Towne, or Colonye, or both, shall suffer, Then to take into or Consideration, a Speech, of a beloved friend, Better to suffer an inconvenience, then a Mischeife; better to suspend with a Losse, which may be inconvenient, then to be totally disunited, & bereaved of all Rights & Liberties, which will be a Mischeife indeede —

Moreover that Offences, & Distractions may be prevented, tht so the Currant of Bussinesses, may peaceable proceed in this Assemblye, We doe faythfully promise so to carrie our selves in Words, & Behaviours, so Moderately & Orderly as the Cause shall permitte, and if in Cause any of us shall flye out in provoaking, scurrilous, or exorbitant speeches, & unsuiteable behaviours, that he, or they so doing shall be publickely declared, branded, & noated upon Record, to be a Common Violator & disturber of the Union, peace, & Liberties of this plantation, Dated Decembr 1647

We doe heere subscribe without partiallitye

ROBERT WILLIAMS

ROGER WILLIAMS

JOHN SMITH

HUGH BEWITT:

WILLIAM WICKENDEN

[JOHN TRIPP]

THO: X HOPKINGS

WILL: X HAWKINGS"

The sixth signature, which is almost illegible, is given as John Tripp, by Knowles (p. 213), and Backus (I, 202). As only eight men signed this, it would appear that the attempt was a failure.

During 1647 and 1648 land transfers continued to be recorded at the monthly meetings of the Disposers. On 7 [12 mo.] February 1647/8 Thomas Harris sold five acres to Thomas Clemence. (P. R. 2, 10) On 25 December 1648 William Barrowes sold five acres to Nicholas Power. (P. R. 2, 10) On 1 January 1648/9 Addam Goodin sold to Richard Osbon all his rights in Providence, reserving only his house during his wife's lifetime. (P. R. 2, 10) On [12 mo.] February 1648/9 land was laid out to Holliman, Westcott and Ashton (Eshton). (P. T. P. 020)

Thomas Olney, Thomas Harris, William Wickenden, Hugh Bewett, Robert Williams and Gregory Dexter were chosen Commissioners, and represented Providence at the General Court held 16 May 1648. Roger Williams was again chosen as Assistant from Providence. (P. T. P. 013)

The following act, establishing the office of Surveyor of Highways, was passed by the General Assembly 19 May 1647:

"13 It is ordered, that each Towne shall choose and order the Authoritie of two Surveyors for the Hie wayes, and appoint time to mend them also they are to have notice of all cattle that shall be exported and returne the marks of them into the Towne, and if any shall presume to export any without giving notice of itt to the men appointed, or their deputies, he shall forfeitt all such cattle soe exported or the worth of them" (R. I. C. R. 1, 162)

And at a Town Meeting held at Providence 27 2d mo. [April] 1648 Wil. Wickenden & Rich. Waterman were chosen surveier for the Highway. (P. T. P. 011) At this same meeting Rog. Will. [Roger Williams] was chosen moderator, and Wil. Hawkins was given permission to set up a lime kiln. (P. T. P. 011)

In 1649 Chad Browne was Surveyor for the town of Providence. (P. R. 3, 114).

On 24 6th mo. [August] 1648 a Court of Trials was held at Providence at which testimony was heard in regard to a false alarm of danger that had been given by some one as a "jest". Gregory Dexter was then Town Clerk and issued summons to several witnesses to appear on 2 September when the case would be continued. The testimony shows that James Sweet, John Sweet, Thomas Baldwin, Daniel Comstock and Walter Lettice were at this time residing in Providence. (P. T. P. 014)

On the 4th 10th [December] 1648 at a Court of Trials, "The Court by vertue of Towne Order" chose arbitrators for the defendant in a case in which the plaintiff had chosen his arbitrators, but in which the defendant did not appear. In another case the plaintiff chose his arbitrators, and the defendant not appearing, his "Bayle" chose arbitrators for him. (P. T. P. 016) In the first mentioned case the arbitrators reached an agreement and signed their decision. (P. T. P. 017) The following "bill of Charge" will give an idea of the costs of legal procedure in Providence at this time:

	£	s
"Intering Action	0	4
Arrest	1	0
Filing declaratō & Testamony	1	0
Serjants Attendants	1	0
Serjants goeing to pautuxitt	1	0
Arbitrators	4	0
	8	4

(P. T. P. 016)

On 29 December 1648 Nathaniel Dickens signed a deposition. (P. T. P. 019)

In 1648 it was rumored that a gold mine had been discovered in the colony, and a special session of the General

Assembly was called. It met at Portsmouth, and on Saturday, 10 March 1648/9, took possession of the mine in the name of the Crown. (P. T. P. 012)

At the special session of the General Assembly, held at Portsmouth, the following Charter was granted to the Town of Providence, on Wednesday, 14 March 1648/9:

"Wheras by virtue of a free and absolute Charter of Civill Incorporacōn granted to the free Inhabitants of this Colonie or Province by the Right Honble Robert Earle of Warwicke Governr in chiefe with the rest of the Honble Comishoners Bearing date the 14th day of March, Ano 1643 giving and granting full powre and Authoritye unto the said [Inhabitants] to governe themselves and such others as shall come among them as allsoe to make, constitute and ordayne such Lawes, [orders and] Constitutions, and to inflict such punishmts. and penalties, as is conformable to the Lawes of England, so near as the [nature and] Constitutions of the place will admitt and wch may best suite the Estate & Condition thereof: and wheras the sd [Towns of Pro]vidence Portsmouth Newport and Warwick are farr remote each from other, whereby, soe often and free [intercourse of] helpe in deciding of differences and trying of Causes and the like, cannot easily and at all tymes be had and procur[ed of that] kind is requisite: therefore, upon the peticōn and humble request of the Freemen of the Towne of Providence exhibited unto this prsent Session of Generall Assembly, wherein they desire freedome and libtie to incorporate themselves into a body politik and Wee the said Assembly having dewlie weighed and seriously Considered the premises, and being willing and ready to provide for the ease and Libtie of the people, have thought fitt and by the Authoritye aforesd, and by these presents doe give, grant and confirme unto the free Inhabitants of the Towne of Providence, A free and absolute Charter of Civill Incorporation and Government, to be knowne by the Incorporation of Providence

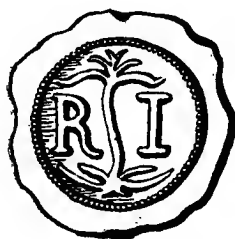
Plantation in the Narragansets Bay, in New-England, together with full power and authoritye to governe and rule themselves and such others as shall hereafter inhabite within any part of the said Plantation, by such a forme of Civill Government, as by voluntarye consent of all, or the greatest part of them, shall be found most suitable to their estate and condition; and to that end to make and ordaine such Civill Orders and Constitutions & to inflict such punishments upon transgressors, and for execution thereof, and of the common Lawes of the Colony agreed unto, and the penalties and so many of them as are not anexed allready unto the Colony Court of Tryall, so to place and displace Officers of Justice and they or the greatest part of them [shall by free consent agree] unto. Provided neverthelesse that the [said] Lawes, Constitutions and [punishments, for the Civill Government of] the said Plantation, be conformable to the Laws of [England,] so far as the nature and Constitutiō of that place will admitt. Yet, allwayes reservinge to the aforesaide Generall Assembly power and Authoritye so to dispose the Generall Governmt of that Plantation as it stands in the refrerence to the rest of the Plantations, as they shall conceive from tyme to tyme, most conducing to the generall good of the said plantations. And we the said Assembly doe further authorize the aforesd inhabitans to elect and engage all such foresaide officers upon the first second day of June Annually And moreover we authorize the said Inhabitants for the better transacting of their publicke affaires, to make and use a publike Seale as the knowne Seale of Providence Plantation in the Narragansets Bay in New-England.

In Testimonie whereof we the said Generall Assembly have hereunto sett oure Hands and Seale the 14th of March, ann 1648. Portsmouth.

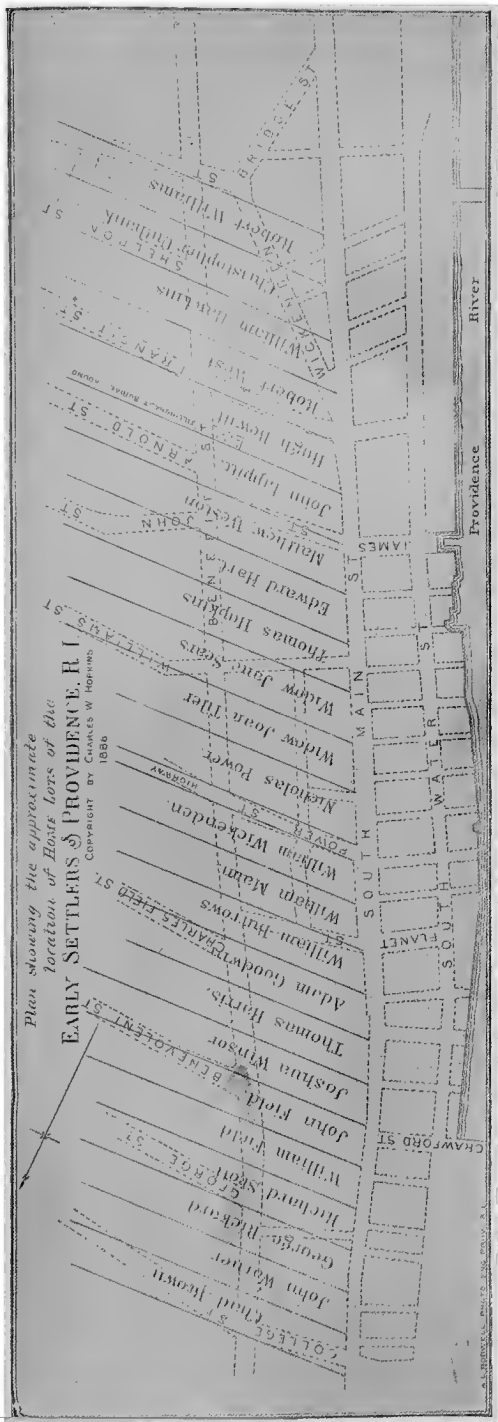
JOHN WARNER,
Clerk of the Assembly."

(Original is framed in office of Recorder of Deeds, Providence, printed in Knowles 419, and a copy of part of it is in P. R. 2, 70.)

A similar charter was granted to Warwick (Chap. XXVII), and reference to a Town Charter of Portsmouth is made in the Portsmouth records (p. 4.). Probably Newport was also granted a Town Charter at this time.



Seal of Robert Jeffrey



PROVIDENCE HOME LOTS

South Section

XXVII

TOWN OF SHAWOMET, ALIAS WARWICK

[1644-1649]

AFTER remaining prisoners for five months: "At a Generall Court at Boston the 7th of the first moneth 1643 or 1644.

It is ordered that Samuel Gorton and the rest of that company, who now stand confined, shall be set at liberty, provided that if they or any of them, shall after fourteen dayes after such enlargement, come within any part of our Jurisdiction, either in the Massachusets, or in, or near Providence, or any of the Lands of Pumhom, or Soccononocco or elsewhere, within our Jurisdiction, then such person, or persons, shall be apprehended wheresoever they may be taken, and shall suffer death by course of Law; provided also that during all their continuance in our bounds inhabiting for the said time of fourteene dayes, they shall be still bound, to the rest of the Articles of their former confinement, upon the penalty therein expressed.

Per Cur. INCREASE NOWEL Secret." (Gorton 74)

Gorton continues: ". . . yet notwithstanding upon notice given unto us by this warrant we presently departed the town though upon a sudden when we were unprovided for victuals & other provisions for our journey, & being there was no place inhabited by the English near the place where our wives and children were scattered, out of which they had not expelled us, but onely a little Island, called Road Island, situate in the Nanhyganset Bay, upon which we arrived, within the time limited unto us, but the night before we came

to Road Island we lodged at Shawomet in our own houses there. . . ." (Gorton 76), and later:

"These things being done, we residing upon Aquethneck, alias Road-Iland, hiring houses and grounds to plant upon, for the preservation of our Families: The Governour of the Massachusets perceiving that we still abroad among the English, and were not gone to the Dutch as others formerly did, he then writ a Letter privately to some in the Iland, whom he thought they had interest in, being he continued a Member of their Church, however removed from them, telling him, that if he and others (who were in like relation unto them) could worke the people of the Iland to deliver us up into their hands again (at least some of us) it would not only be acceptable unto the Court then sitting, but unto most of the people in generall; The people of the Iland having notice of this Letter, did altogether dislike and detest any such course to be held with us, knowing very well what they had already done, and how causelesly; So that we abode still upon the Iland, and followed our employments, untill such time as there appeared amongst us a Charter of civill government, granted by the State of Old England, for the orderly, quiet, and peaceable government of the people inhabiting in those parts of the countrey, called Providence Plantations, in the Nanhyanset Bay, . . ." (Gorton 89).

John Warner seems to have been elected Secretary of the landless town of Shawomet, for 26 March 1644 (Gorton 77), and 20 June 1644 (Gorton 89), he signed letters as Secretary.

The Massachusetts Bay authorities continued to issue warrants as Gorton relates:

"Here followeth a true Copie of a Warrant set upon our houses at Shaw-omet verbatim, being extant, which was done after the Charter appeared amongst us.

Whereas we understand that some of our countrey men about Providence, or those parts, doe intend to sit down upon our Lands at Show-omet, or those parts: This is there-

fore to give notice to any such, that they forbear, without license from us, to attempt the same, or to meddle with any of our people there, either English or Indians; for let them be assured, that we resolve to maintain our just rights.

Given at the Court at Boston, the 16th of the 8th Mo, Ann. 1644. By me INCREASE NOWELL, Secret.

After this they ceased not to send out their Warrants amongst us, after the Charter was established amongst us, sending divers, and serving them upon the men of Providence, expresly commanding their appearance, at their Courts in the Massachusets.

A Copie of one of their Warrants to the men of Providence here followeth word for word, and is extant under their hand.

To the Executors of Francis Weston.

You are required to take notice of an Attachment against the Lands of Francis Weston, so as to bind you to be responsall, at the next Court at Boston, to answer the complaint of William Arnald, for withholding a debt of thirty shillings due to him, and hereof not to faile at your perill.

Dated the 5. (4) 1645. Per cur. WILLIAM ASPINWALL." (Gorton 90)

Commissioners for the uninhabited town of Shawomet, of whom Samuel Gorton was one, met with the other Commissioners on Aquidneck in 1645 (Chap. XXIV). Later in the autumn, before 20 November 1645, Samuel Gorton and Randall Holden went to England (Gorton 95) to petition Parliament for reinstatement in their lands at Shawomet. They were successful in their mission, and obtained the following order from the Parliamentary Commissioners.

"After our hearty commendations, we being specially entrusted by both houses of parliament with ordering the affairs and government of the English plantations in America,

have some months since received a complaint from Mr. Gorton and Mr. Holden, in the name of themselves and divers others English, who have transported themselves into New England, and now are or lately were inhabitants of a tract of land called by the name of the Narragansett Bay, (a copy of which complaint the inclosed petition and narrative will represent to your knowledge,) we could not forthwith proceed to a full hearing and determination of the matter, it not appearing unto us, that you were acquainted with the particular charge, or that you had furnished any person with power to make defence in your behalf, nor could we conveniently respite some kind of resolution therein without a great prejudice to the petitioners, who would have lain under much inconvenience, if we had detained them from their families till all the formality and circumstances of proceeding (necessary at this distance) had regularly prepared the cause for a hearing. We shall therefore let you know in the first place, that our present resolution is not grounded upon an admittance of the truth of what is charged, we knowing well how much God hath honored your government, and believing that your spirits and affairs are acted by principles of justice, prudence and zeal to God, and therefore cannot easily receive any evil impressions concerning your proceedings. In the next place, you may take notice, that we found the petitioners' aim and desire, in the result of it, was not so much a reparation for what past, as a settling their habitation for the future under that government by a charter of civil incorporation which was heretofore granted them by ourselves. We find withal that the tract of land, called the Narragansett Bay, (concerning which the question is arisen,) was divers years since inhabited by those of Providence, Portsmouth, and Newport, who are interested in the complaint, and that the same is wholly without the bounds of the Massachusetts patent granted by his majesty. We have considered that they be English,

and that the forcing of them to find out new places or residence will be very chargeable, difficult and uncertain.

And therefore upon the whole matter do hereby pray and require you to permit and suffer the petitioners and all the late inhabitants of Narragansett Bay, with their families and such as shall hereafter join with them, freely and quietly to live and plant upon Shawomett and such other parts of the said tract of land within the bounds mentioned in our said charter, on which they have formerly planted and lived, without extending your jurisdiction to any part thereof, or otherwise disquieting them in their consciences or civil peace, or interrupting them in their possession until such time as we shall have received your answer to their claim in point of title, and you shall thereupon have received our further order therein.

And in case any others, since the petitioners' address to England, have taken possession of any parts of the lands heretofore enjoyed by the petitioners or any their associates, you are to cause them which are newly possessed, as aforesaid, to be removed, that this order may be fully performed. And till our further order neither the petitioners are to enlarge their plantations, nor are any others to be suffered to intrude upon any part of the Narragansett Bay.

And if they shall be found hereafter to abuse this favor by any act tending to disturb your right, we shall express a due sense thereof, so as to testify a care of your honor, protection, and encouragement.

In order to the effecting of this resolution, we do also require, that you do suffer the said Mr. Gorton, Mr. Holden, Mr. Greene, and their company, with their goods and necessities, to pass through any part of that territory which is under your jurisdiction, toward the said tract of land, with molestation, they demeaning themselves civilly, any former sentence of expulsion or otherwise notwithstanding.

We shall only add that to these orders of ours we shall expect a conformity, not only from yourselves, but from all other governours and plantations in New England whom it may concern. And so commending you to God's gracious protection, we rest, your very loving friends.

From the governour in chief, Lord Admiral and Commissioners for foreign Plantations, sitting at Westminster, 15 May, 1646.

WARWICK, Governour and Admi,
Jud.

NORTHUMBERLAND,
PEMBROKE AND MONTGOMERY,
NOTTINGHAM,
MANCHESTER,
FRA. DACRE,
SAM. VASSALL,
CORN. HOLLAND,
WM. WALLER,
WM. PUREFOY,
DENNIS BOND,
GEO. SNELLING,
BEN. RUDYER."

(Winthrop 2,
342)

On page 103 of the Warwick Records is an undated list entitled "Names of the Purchesers First", which contains the names of Gorton, Weeks, Houlden, Carder, Potter, Greene, Warner, Watterman, and Wesson [Weston]. These men, except Weston, who had died, returned to Shawomet, which they re-named Warwick, in honor of Robert Rich, Earl of Warwick and Lord High Admiral, who had befriended them in England. This list is followed by one entitled "Receaved Purchesers" containing the names: Ezeikiell Holiman, Hendry Townsend, Mr John Smith, Nickolas Hart, Stukly Westcot, Rufus Barton, and Jon Greene Juneor. Smith, Westcott and young Greene came from Providence, while the others came from Aquidneck.

In a list of the "Inhabitants receaved in order as they came

first" are the following names in this order: Rufus Barton, Hend Townsend, Chri: Unthank, Ezek: Holman, Jo: Lipet, Rich: Townsend, Peeter Greene, Tho: Thornecraft: James Greene, Tho: Greene, Steuk Westcot, Mr Jo: Smyth, Mr Nic: Heart, and others. (1, 106). As Peter Greene was admitted 1 May 1647 (1, 308), it would appear that Barton, Henry Townsend, Unthank, Holliman, Lippitt, Richard Townsend and Peter Greene, were admitted on or before that date, 1 May 1647; and that Thornecraft was admitted between 1 May 1647 and 3 December 1647, the date that James and Thomas Greene were admitted. (1, 308)

Massachusetts Bay continued to negotiate with the Commissioners in the vain hope that they might obtain Shawomet for themselves. Meanwhile the Gortonoges, who had been living in exile on Aquidneck, moved back to their homes at Shawomet, between the arrival of Holden with the order from the Commissioners, which occurred 13 September 1646 (Winthrop 2, 333) and May 1647. This removal probably took place very soon after the arrival of Holden.

The earliest record after the return to Shawomet is that of 1 May 1647, which begins:

"Peter Greene beinge receaved a free Inhabitant to the towne of Warwicke the first of May 1647 and havinge a peece of land graunted him for a house lot . . ." (W. R. 1, 308)

On 19 May 1647 Samuel Gorton, Randall Holden and others were sent as Commissioneres to represent Warwick at the General Assembly at Portsmouth. Randall Holden was chosen Assistant from Warwick. At this General Assembly on 19 May 1647: "8 It was Agreed that Warwick shuld have the same priviledg as Providence". (R. I. C. R. 1, 161.)

On 3 December 1647 Thomas Greene and James Greene were admitted inhabitants (W. R. 1. 308), and land was

granted to them. In these grants the land of Thomas Thornecraft and John Lippitt is mentioned, thus showing that they were then inhabitants and corroborating the accuracy of the list previously quoted.

In May 1648 Mr. John Smith, Ezekiel Holliman, John Warner, Robert Potter, Christopher Helme, and Peter Greene were elected Commissioners and sent from Warwick to the General Court, which met on 16 May 1648 at Providence. John Smith was chosen Assistant from Warwick. (R. I. C. R. 1, 195)

Of a town meeting held on "June 5th 1648", the record is "wee make Choyce for or Towne offisers for the yere

Mr Jo: Wicks	} Towne Magistrats
Mr Sam: Gorton	
Jo: Warner	Towne Clarke
Rich Harket:	Counstable
Rich Townsend	Sargant
Mr Randall Houldon	Treserer

ſ tht hee is not to disburst anny monny but by the order of the Major pt of the Towne & it beinge recorded tht shalbee his discharge". (W. R. 108)

"Ord. 17. Agust 21: 1648 That Randall Houldon and John Warner is ordered to goe to plimoth to informe the Commitioners of the United Colonies concerning the wh or Towne Receaved from the state of Ingland" (W. R. 108)

"Wheareas there was psented a wrighting unto us from the towne or plantaciō of Warwicke: as they call it, by their Mesengrs Mr. Randall houlden & Mr John Warnr substd By Mr John Smith assistant in the behalfe of the whole towne Dated the 4th of the 7th mo 1648 wherein they complne Amongst othr things of divrs Inguryes Insolencies and afronts offred them by the Indians that are aboute them and neere Inhabitants to them as namely: killing their Cattell

about a hundred hoggs: abuseing their servants when they take them alone: and som times makeing violent enterance into thr howses and strickeing the mastrs theareof: Stealeing and ployneing their goods And hereupon doe earnestly desire to know the mindes of the comisioners herein and to receive advise from them. Wheareupō the Comisionrs for their future Security gave them this Insewing wrighting:

To all Indian Sachems whom it may Concerne: Inhabiting within the Narragansett Bay and plces adjacent:

The Comisionrs for the united Colonyes of New England haveing Rescaived informa^c of sevrall outrages comited up the psons and Cattells of the English in Sevrall plces Canot but looke upo such p^rctizes as tending to the disturbance of the p^blique peace: and therefore adviz that dew care may bee tacken by the sevrall Sachems and all othrs whome it consernes to prvent and abstaine from all such miscarages for the future and if any off them Rescaive any Injury from the English: upō Complainte in dew plce and order: satisf^d shall bee indevored therin according to Justice: as the Licke will bee Expected from them: Plymth this 10th of the 7: 1648." (P. C. R. 9, 130)

"Upon former Consideration of our State and condition with respect to our Neighboures about us who are our professed Enemies And the evil practice of Some persons in other places that have betrayed the Liberty of themselves and their neighbours into the hands of others by their unjust Submission unto other Jurisdictions &c Wee thought necessary for our Comōn peace amongst our Selves that if any man either Purchasers or inhabitants shall either directly or indirectly by profession or Action either Sell give or make over any of the lands or houses or any interest within our Jurisdiction or purchase to any man or men but to such as *shall Subscribe* to this our order and ingadgment; And to *other Jurisdictions* we prohibit upon any termes whatsoever

and if any shall attempt as aforsaid to betray our liberty in that act he doth professe himselfe to have no right title or interest, but all he formerly possesse is to returne to the towne and he wholly disfranchised and his whole estate and person lyable to the Sensure of the towne for Satisfaction herein

Confirmed this 23th January 1648: (W. R. A1, 80)

JN. SMYTH	W. TODD
SAMUELL GORTON	RICHARD TOWNSEND
JOHN GREENE	PETER GREENE
JOHN WICKES	JAMES GREENE
JOHN WARNER	THOMAS × GREENE
STUKLY WESTKOTT	mark
RICHARD × CARDER	THOMAS × THORNECROFT
mark	
RICHARD × HARKETT	JO: × LIPET
IO NOV.	JO: × COOKE
CHRISTOPHER HELME	CHRISTOPHER ONTHANKT
EZEKIELL HOLLYMAN	JOHN GREENE JUNIOR
HENRY TOWNSEND	ROBERT WESKOT"

(W. R. 1, 100)

The fragments (in italics) of the agreement together with the signatures appear on page 100. Those in the above list probably signed at this time, but many other names were subsequently added.

Apparently at this meeting the following town orders were enacted.

"Towne Orders

The purchasers of the plantation doe order and [. . .] first, that we keepe the disposall of Lands in or one hands 2: tht none shall any land in the Neck called Mshoa-met but by grant from the oners and purchasers: 3: tht every aker of medow in the Neck shall be at 4 shillings per aker and every aker of upland at 2 shillings per aker: 4 tht every aker of medow shall have its proportion of upland as

the Neck will aford: 5 tht wee Lay out hie waies into the Neck in the most convenient places as wee think fiting: 6. tht no man shall either directly, or Indirectly, take in anny Cattel to Common but only milch catle & Laboring Catle: 7. tht whomsoever is granted a lot if hee doe not fence and build a dwelling house upon it within 6 monthes or in forwardness thereto: for the neglect his lot is to returne to the Towne to dispose of

2 Order

That for the Towne proper to all Inhabitants is to bee from the Front fence of the Neck into the Coontrie fower miles & that no pt of this Common shalbe aproproated to anny by the major pt of all the Inhabitants and tht every Inhabitant is to have six akers to his house lott for wh hee is to pay to the Tresery 12s & this 4 miles Common is anexed to every mans lot

3 Order

That Inhabitants after they are propounded sh[all be] receaved or rejected by papers or beanes

4 Order

That if anny Inhabitant will have equall share of the plantation hee may have equall share the purchis

[5 Order . . .] purchaser [. . .] That every man reaveved into rite in the whole purchis for an equall share shall pay into the Tresery tenn pounds either in Cash laid in or in Considerations equivalent, in the Judgment of the Major pt of the first purchasers & for the Neck to be stinted according to perportion of Land equally, & if anny shall purches more then is laid out to each man for proper rite by equallitie tht land so purchased hath no Comon to bee considered for such land but it is to bee common to feed cattele till it bee fenced from the rest. And if the aforesaid ten poundes will not sufise to defray Charges for the regaining of

the land then so that land is not laid out shall still be for that end" (W. R. I. 103)

"Haveing now received our orders (this 8th of August) from the generall recorder wee have Chosen for our Towne Counsell being a generall assemblies order

Rufus Barton	} Towne Mjtrats	{	Jo: Greene
Mr. Jo: wickes			Eze: Holiman
	Jo: Warner		
Jo: Warner: Towne Clark	Rufus Barton		
Hen Townsend: Constable	Jo: wicks		
Chri Helmes: Sargant			Randall Houldon

Ord. 6 Wee conclude or Towne Meeting to bee held the first Monday in every moonth and that the Towne Clarke is to have 2s:6d for each day of meeting & the sargant to have 2s for warning & tending upon the meeting and if other ocations fall out they are to be resonably considered for there servise therein.

Ord 7

That Conimecok is to bee fenced by the generall towne and it is proper only for Calves and Lambes till forder order bee concluded concerning it."

Order 8 concerns John Greene's land.

"Ord 9

That noe land is to bee granted to anny within six rod of the front through the whole towne wh is to be for a street way"

Order 10 consists of grants of land to Carder, Barton, Houldon, Potter, Wicks, Warner and Unthank.

"Ord 11

That by Major Consent of the whole Towne it is ordered tht if 12 Townsmen meet one the day apointed for Towne

meeting they shall have power to act in Towne affaires as though all ware pressent

Ord 12

That there is to bee three wayes into the Neck the one between Mr Wicks & Mr Potter, another between Mr Holiman & Tho Thornecraft another between Peter Green & Rich Watermans lot over the wading place

Ord 13

That Ezekiel Holiman Rufuse Barton Jo: Warner & Christopher Helmes are apointed to lay out lots & hiewayes convenient for the Towne

Ord 14

That no man in the towne is to sell strong lickers or sack to the Indeans for to drink in there houses & if it be proved hee that so breaks this order shall pay to the treserie five shillings for each offense

Ord 15 by the Purchesers

That wee lay out 6 Akers of land for each man tht hath Interest in the Neck for planting in the most Convenient places to anser each mans ocation

Ord 16

That Mr Wicks is to deliver the goon to Mr Browne wh hee took from the Indean wigwam and to give his resons for his act therein

Ord 17

That no man is to turne swine into the woods between planting time and Harvest without sufittient keepers to prevent dangers of Indeans and English Corne" (W. R. 1, 104-5)

“January 23th 1648 Warwick

Chri: Helme: having thretened the Towne in general for goeing about to undermine the Towne his Act testifies the truth of his threats:

Wee being orderly met in a towne meting doe agree and Conclude tht the said Chri: Helme is wholly deprived of all rite and Intrest in this plantation but only tht wh hee hath in present posetion apropreated, but only tht wh the Towne doth freely condesend to, by permission till hee cane mak farther provition wh wee conclud to bee by the first day of May 1649 and after that day prefixed hee is not to make use of anny comon privileg but as a transgreser liable to anser for contempt therein

Christopher Helme you are bound to [. . . .] in the some of 50 to bee levied in lands goods & chattells to answer at our Next Court of trialls held in this Collony to such things as shall then and there bee charged upon you & in the meane time to stand to good behavior towards all his maety Leage people this 30th of Jan 1648.” (W. R. 1, 311)

“Feb 5th 1648 Ord 18

That in Consideration of the great Inconvenience that comes by the Indeans being drunk and the dangers that is thereby, Wee think good that no man shall either directly or indirectly sell, or convay, to anny Indeans within the bounds of this towne, ether strong licker wine or sack, but upon prooffe herof, hee shall for each offense pay to the Tresery twentie shillings and this to bee by warrant from an offiser of the Towne to the sargant to attach, and so deliver it into the treserie and that this or Order for to bee in force and efect upon the first day of Aprill next and from that time every man lies liable to anser for defect heerin.

Feb 5: 1648

That the Towne doth by this order license Robert Potter to keep an Ordinary and hee doth by this order ingage him-

selfe in a bond of £10 to kepe the orders of such a house accordinge to generall Court order

by the purchasesers" (W. R. I, 108)

"Feb 26 1648

That wee agree to send to the Generall assembly for the whole Colonie sixe men for or towne of warwick Mr Jo: Smyth Mr Samuel Gorton Mr Jo: Wicks Mr Randall Houldon & Jo: Warner Mr Jo Greene

And forther wee Agree tht those of the Towne wh send the men aforesaid are to pay there charge expended to bee levied by Mr Jo: Smyth Mr. Randall Houldon & Jo: Warner

By the Purchesers

That Hen: Townsend Richard Harket & Mr Potter and Mr Holiman are chosen to lay out medow and upland in the Neck equall shares to the Purchesers & wn thay have done tht wee lot for the shares

That Mr Gorton is chose for one of the Towne Counsell to supply the Roome of him departed" (W. R. I, 109)

"These are to testify that I Christopher Helme doe bind my selfe to answer all damages tht may Arise by the ocation of Receaving Robert Andrewes Againe into my Custody after the towne had sent him back to his master & he escaped from the messenger which sd Andrews I shall Ingage my selfe to have him forth coming and to anser anny damage tht shall come by it to the towne wher unto I set my hand & bind my estate to mak good to the utmost

At A towne metteinge

Janu: 23th 1648"

CHR: HOLME

(W. R. I, 299)

A charter was granted to the town of Warwick at the session of the General Assembly held in March 1648/9.

"A Coppie of the Towne Charter

Wheras by vertue of a free and absolute charter of Civill Incorporation granted to the free Inhabitants of this Colloney

or province, by the right honourables, Robert Earle of Warwicke Governour in Cheife, with the rest of the Honourable Comissioners, bearinge date the fourteenth day of March, in the yeare one thowsand six hundredth forty-three, givinge and grantinge full power and Authority unto the sayd Inhabitants to governe themselves and such others as shall come amonge them: As also to make constitute and ordeyne such lawes orders and Constitutiones, and to Inflict such punishments, and penalties, as is conformable to the lawes of England, so neare as the nature and constitution of the place will admitt: and which may best suite the estate and condition thereofe, and wheras the sayd Townes of Providence, Portsmouth, Newport, and Warwicke, are far remote each from other, wherby so often and free Intercourse of helpe in desidinge of differences and tryinge of causes and the like, cannot easily and at all times bee had and procured, as in this kind is requisitt,

Therefore and upon the petition and humble request of the freemen of the Towne of Warwicke exhibited unto this present sessions of Generall Assembly, wherin they desier freedom and liberty to Incorporate themselves into a boddy politticke et: Wee the sayd Asembly havinge duely weighed and seriously considered the premises, And beinge willinge and ready to provide for the ease and liberty of the people: have thought fitt and by the authoritie aforesayd, and by these presents doe give, grant, Consighne, and Confirme, this present Charter, to the sayd Inhabitants of the Towne of Warwicke, Allowinge, Orderinge and herby Authorizinge them or the Major part of them, from time to time, to Transact all such Towne afayres, as shall fall within the verge, liberties, and precincts of the sayd Towne As also to make and constitute such particular Orders, penalties, and officers, as may best suite with the Constitution of the sayd Towne and Townshippe, for the well orderinge and Governinge thereofe, provided the sayd lawes Constitutiones and punishments

for the Civill Goverment thereofe bee conformable to the lawes of England so farr as the nature and constitution of that Towne will Admitt: And to that end wee doe Authorize them to erect a Court of Justice, and doe give them power to execute such particular orders and penalties, and so many of the Comon lawes agreed in the Generall, and their penalties, as are not annexed already to the Generall Court of Tryalls: And Farther wee doe herby order the sayd Towne to elect and Ingadge all such officers as shalbee necessary for the propagation of Justice and Judgement therin, upon the first munday in the moneth of June Anually forever hereafter: Shall Ingadge them in fidelity to maintaine the honour Crowne and dignity of the State of England as loyall subjects therofe to the utmost of their power: The liberties and freedom of this Collony, And the priviledges of the Towne wherein they beare office, And farther wee doe herby Invest and Authorize the sayd officers so elected and Ingadged, with full power to Transact in the premises and in so doinge shalbee herby secured and Indemnified:

Given at Portsmouth at the Generall Asembly: There held this 14th of March Anno 1648:

JOHN WARNER Clerke of the Asembly

Copia vera sicut atestat Johannes Greene Secretarius ex civitate Warwicke" (W. R. I, 363-364)

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